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ABSTRACT

An impact evaluation of eight courts training project (CTP) institutes funded by the Law Enforcement Assistance Administration was conducted. After a literature search and visits to potential evaluation sites in all fifty states, twelve sites were selected from a random stratified sample of court systems. Data were obtained from 1047 respondents (including trial and appellate judges, prosecutors, defenders, and court administrators) via personal interviews and mail questionnaires. Findings included the following: (1) nearly 20 percent of the respondents cited training as a generator of organizational change within the criminal justice system or personal change: (2) participants want training: (3) most sender organizations support attendance at training programs in a variety of ways: (4) CTP institutes meet general training needs and provide a setting in which individuals can exchange ideas and discuss problems: and (5) training sessions suffer from shortcomings in needs assessment, balance of teaching methodologies, and instructor orientation. Thirty-four recommendations were made, and thirty-five tables present detailed data summaries. (The case studies and survey instruments and a manual for conducting an on-going evaluation are available through ERIC--see note.) (MN)

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Evaluation of LEAA Funded Courts Training Programs

Volume I

Prepared for:

Adjudication Division
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Law Enforcement Assistance Administration
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U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
EDUCATION

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ABSTRACT

This impact evaluation examines eight courts training institutes which have been funded by the Law Enforcement Assistance Administration for a number of years. The institutes provide training to trial and appellate judges, prosecutors, defenders and court administrators.

The objectives of the study were to: develop quantitative measures of training impact, measure the differential impact of the various training institutes and their programs, determine the cost effectiveness of the individual programs in meeting their objectives, and determine the impact on the criminal justice system.

The evaluation included personal interviews with training participants, and comparison and peer-supervisor groups at 12 sites throughout the country. Mail questionnaires were also used to survey some participants and a subsample of institute-related persons. Evaluators also made site visits to and attended training sessions given by each institute.

The final report sets forth findings and recommendations regarding each of the objectives discussed above. It also contains a "how-to" manual which describes the basic procedures for conducting an ongoing evaluation of courts training programs. A bibliography on the subject of evaluation and criminal justice programs is also included.

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SUMMARY

PURPOSE

The Law Enforcement Assistance Administration, recognizing the importance of enhancing the quality of criminal justice, has, through its sponsorship of the Courts Training Project (CTP), provided funds over a number of years to specialized training institutes to assure their continued operation and utility. Pursuant to its authority under the Omnibus Crime Control and Safe Streets Act of 1968, LEAA contracted with McManis Associates, Inc. in October 1978 to conduct an impact evaluation of eight courts training institutes. These are:

- *The National College of District Attorneys;*
- *The National College of Criminal Defense Lawyers and Public Defenders (now known as the National College of Criminal Defense);*
- *The Institute for Court Management;*
- *The National Judicial College;*
- *The American Academy of Judicial Education;*
- *The Institute of Judicial Administration, Appellate Judges Seminars;*
- *The American Bar Association, Appellate Judges' Conference; and*
- *The National Institute for Trial Advocacy.*

The objectives of the study were to: develop quantitative measures of training impact, measure the differential impact of the various training institutes and their programs, determine the cost-effectiveness of the individual training projects in meeting their training objectives, and determine the impact of the criminal justice system. In addition, the purpose of the evaluation was to make recommendations affecting actions, decisions, and functions of LEAA and the training institutes.

METHODOLOGY

Although evaluations of some of the eight training institutes were performed in the past, for the most part, they did not attempt to measure training impact or to systematically evaluate the training process. The first step in this evaluation process was to conduct a literature search of all pertinent information. The results of this research were useful in designing the data collection and analysis plan and identified some of the possible pitfalls involved with an evaluation of this type.

The literature search assisted in refining the necessary data elements and sources. As the evaluation project evolved, two sets of subsamples were identified. These were institute-related subsamples and participant-related subsamples.

The institute-related subsamples included core staff, instructors and members of the boards of directors. Preliminary data gathering included visits to the institutes to examine their management, operations and programs, and to observe training sessions. The institutes provided names and mailing addresses for the institute-related subsamples.

The participant-related subsamples included a participant group, a comparison group and a supervisor/peer group. Persons from each of these groups were either interviewed at each site or surveyed by mail. The final sample included a total of 1,047 respondents.

Also included in the study was a site subsample. This constituted 10 sites chosen from a stratified random sample of court systems which contained a high concentration of CTP participants and two purposive sites chosen to fill in gaps which existed among factors considered important.

Survey instruments for each subsample group were developed, and interview instruments were tested at a pilot site. The pilot test also provided the opportunity to train data collectors, to achieve a realistic idea of what data were obtainable, and to examine on-site procedures which had been developed in advance.

To ensure a high level of cooperation among participants in the field, the methodology provided for preliminary screening visits to each potential site prior to final selection. The visits involved meetings with the chief justice and/or presiding judge at the site, the court administrator(s), the chief prosecutor, the chief defender and the director of the state planning agency and/or regional planning unit. Each person was briefed on the purpose of the evaluation and participants' names and positions were verified. Comparison and supervisor/peer groups were identified during the visit so that the total number of potential interviews at each site was known in advance. Following these visits, site selections were finalized, and visitation schedules were confirmed.

Project teams visited a total of 12 sites over a three-month period. Interviews were conducted with trial and appellate judges, prosecutors, defenders, and court administrative personnel. Following each site visit, data were analyzed to examine the impact of training on individual court systems.

Another vital element of the methodology was the formation of a National Advisory Board. The Board was composed of eight nationally recognized experts in the criminal justice field who offered guidance to the evaluation team on all aspects of the project. Board members also reviewed a draft copy of the final report prior to submission to LEAA.

FINDINGS

Before summarizing the findings which resulted from the impact evaluation, some words of caution are appropriate:

- *There are serious pitfalls in attempting to compare institutes in terms of relative impact. Each institute has its unique goals, objectives, curriculum, and participant group. Accordingly, the eight institutes are not truly comparable for the assessment of outcomes.*

- *With a number of respondents having attended more than one of the subject institutes, it would be hazardous to ascribe change to one institute at the exclusion of the other. Indeed, a few respondents had some difficulty distinguishing between training sponsors, training events, and outcomes involving more than one Courts Training Program.*

- *Field visits to the training institutes were conducted in late 1978. Findings resulting from those visitations reflect conditions as they existed then, unless otherwise specified. During 1979, the eight training institutes had the opportunity to review the findings resulting from the visitations, and these were discussed with them by LEAA. Consequently, a number of the weaknesses cited in the findings throughout this report have already been the subject of remedial action by the institutes.*

Overall findings of the study are presented below, with findings by individual institute following. Although numerical data for each institute are not discussed in this summary, supplemental tables may be found in the main body of the text.

Training Impact. Based on the findings of this evaluation, training is *not* the major impetus for either organizational change within the criminal justice system or personal change among those practitioners within the court system. Experience on the job and system changes caused by various circumstances emerge as the major causal factors of change.

Nevertheless, the data indicate that training was cited by nearly 20 percent of the respondents in all role groups in the 12 court systems examined as a generator of personal and/or organizational change. Therefore, training's contribution to the total climate which produces positive change cannot be dismissed.

It is the view of the evaluators that measuring the impact of training per se is extremely difficult in light of the various constraints encountered and because there is a natural intertwining and cumulative impacting of such related factors as job experience, education, training, advice of colleagues, reading, etc. Despite this, there are sufficient data available to conclude that training is a positive and important influence on the criminal justice system and on its practicing members.

Training Process. In examining the data gathered from those who have attended CTP institutes, several overall findings emerged:

- *Participants want training. They believe in the principle of continuing education, and they feel that the legal system is ever-changing, thereby requiring them to increase their knowledge, improve their skills, etc. They attend training voluntarily and enthusiastically.*
- *Most sender organizations (e.g., courts, district attorneys offices, public defenders offices, etc.) strongly encourage the principle of continuing education and support attendance at training programs in a variety of ways (e.g., financial support, transfer of assignments, rearrangement of schedules, etc.).*
- *The main strengths of the CTP institutes appear to be in meeting the general needs of the respective role groups and in providing a setting in which individuals can exchange ideas and discuss problems informally (often outside the classroom setting) with their peers from other states.*
- *Training, generally, may suffer from shortcomings in needs assessment, balance of teaching methodologies (too much lecture), instructor orientation, and in attempts to meet individual needs.*
- *There is an implied support for training programs which are about a week in length. The two-, three-, and four-week courses are often characterized as being too long (because of workloads, vacation conflicts and family commitments, concentration limits), and the two- and three-day workshops are often seen as being too brief.*
- *CTP institutes need to pay more attention to the manner in which they mix trainees, especially as to role groups and levels of experience.*

Findings regarding individual institutes are presented below.

INSTITUTE OF JUDICIAL ADMINISTRATION

The Institute of Judicial Administration's Appellate Judges Seminars emerge from the data analysis as perhaps the best of the training programs in all respects except cost per participant. Based on participants' and instructors' responses, the Appellate Judges Seminars are widely recognized and respected. Participants gave high ratings regarding the relevance of the seminars to them and their courts, and data confirmed the general effectiveness of IJA's influence on personal and organizational change.

The current needs assessment process appears to work well. The only potential weakness is the risk of having individual faculty members continually recommend that their courses be repeated, without change, not necessarily because of "student" needs but because of the faculty member's familiarity with the course.

One questionable area of the Appellate Judges Seminars exists with respect to travel and subsistence expenses which are paid to participating judges. Although many judges receive funds from their jurisdictions, the cost differences are made up by IJA in the belief that without such assistance, judges would not attend the residential training programs. Since the seminars are important to the career development of appellate judges, and since many states provide reasonable salaries for appellate judges, the travel and subsistence funds might be better spent, unless there is a clearly demonstrated need.

APPELLATE JUDGES' CONFERENCE (ABA)

Participant and instructor perceptions of the Appellate Judges' Conference varied in several major areas, including program effectiveness and training design. Data show that a number of participants have no desire to return to future conferences. Another area of concern is that a relatively low percentage of the AJC participants have attempted to make personal/professional changes upon returning from conferences while even fewer respondents attempted organizational changes after training.

Instructors rate aspects of training design higher than participants, particularly regarding consideration of individuals' needs, clarity of learning objectives, degree to which objectives are demonstrable, opportunities to practice what is taught, and the degree of useful feedback received from instructors and peers.

Participants gave the faculty high ratings in areas of substantive knowledge, practical experience and teaching ability, but noted the scant representation by members of other than legal disciplines.

NATIONAL JUDICIAL COLLEGE

The data generated as a result of this evaluation indicate that the National Judicial College ranks high as an effective training institute, has a well-designed training program, and is effective in providing a mechanism for exchanges of views among peers. Instructors and participants alike rate the College high in effectiveness. Data indicate a high percentage of participants have attempted to make personal changes as a result of training, but a significantly lower percentage have attempted to make organizational changes.

The NJC's training design is rated high by both participants and instructors. The College has an informal needs assessment process among its constituents, which may account for the relevant, well-received programs. The only negative area identified was the degree to which the participant is kept informed of his/her progress throughout the course.

The three strengths frequently mentioned by participants were: the collegiality generated among judges, the credentials and ability of the faculty, and the management of the training setting. The chief weaknesses cited were that some courses were too long (especially the four-week courses) and that lectures were used too extensively.

AMERICAN ACADEMY OF JUDICIAL EDUCATION

Data collected during this evaluation indicate that AAJE is a reasonably effective training institute which is well-regarded by those who have attended its programs. Participants gave high ratings to training design, capability of faculty, and relevance to the needs of their court systems. Exceptional and widespread praise is given to AAJE's legal writing courses.

Participants and faculty both expressed high satisfaction with the training settings at AAJE programs, but instructors were dissatisfied with the management of those training events. Specifically mentioned were inadequate orientation and training of faculty, inadequate administrative procedures, high turnover among Academy staff, and the absence of a full-time technical director or leader at all programs.

AAJE programs reflect the desire to serve diverse needs of judges. The programs are designed for ease of replication, and enrollments to the national conferences are consistently high. At the present time, however, AAJE programs are scheduled based on past experiences of the Academy and judicial education trends, rather than on the basis of a systematic needs assessment.

INSTITUTE FOR COURT MANAGEMENT

ICM appears to be filling a national training void for court administrative personnel. Among those court administrators and other support staff who do attribute changes in their performance to the training they have experienced, ICM receives frequent mention. The relevance of ICM training generally received high ratings from both participants and instructors surveyed. On the other hand, more individuals were critical of ICM training programs than of any of the other institutes.

According to the data, ICM is not effective, overall, in persuading participants to make changes in the way they perform their duties. Some participants are critical of the relevance of training programs and the match between trainees' needs and instructor expertise. Instructors cite inadequate orientation and training, and insufficient appraisals of their performance. Many participants do not share training materials with others or recommend ICM.

The Institute is currently reassessing its goals, objectives, and areas of future exploration. The reassessment should prove useful to ICM in light of these findings.

NATIONAL COLLEGE OF DISTRICT ATTORNEYS

The data analysis showed that NCDA is a reasonably effective training institute. The College is effective in persuading participants to make changes in the way they perform their duties. It is also an excellent mechanism for establishing collegial contacts and for instilling a pride of profession in prosecutors. During data collection, numerous suggestions by participants and instructors called for more cooperation between NCDA and the National College of Criminal Defense, even to the extent of conducting joint courses.

Participants gave faculty a high rating, but felt that lectures were relied on too heavily. Instructors expressed some dissatisfaction with NCDA, citing such problems as: inadequate orientation and training, inadequate program modification based on systematic assessments, and insufficient appraisal of performance. Both instructors and participants commented on NCDA's poor mixing of trainees by roles and experiences, overly large classes, and insufficient instructor contact outside the classroom.

The National College was the only CTP institute criticized for the insensitivity demonstrated by its staff and faculty at training programs with regard to females and minorities. Another serious complaint expressed by participants and observed by evaluators was the laxity of attendance monitoring at NCDA regional workshops and the indiscriminate awarding of CLE credits.

NATIONAL COLLEGE OF CRIMINAL DEFENSE (LAWYERS AND PUBLIC DEFENDERS)

The National College of Criminal Defense also emerges from the data analysis as a relatively effective training institute. Instructors and participants alike feel training is relevant, and a high percentage of trainees adopt new methods and techniques learned at the College. NCCD was highly commended for reinforcing the role and confidence of the public defenders as a professional group. As in the case of NCDA, participants at NCCD recommended more integration between the two institutes, including joint programs.

Faculty at NCCD received high ratings from participants. Instructors and faculty alike gave the training setting high ratings, except for some dissatisfaction with the large class size. Instructors expressed concern over the management of training events, especially regarding orientation and training they are given.

One concern which emerged during data collection (and expressed by previous evaluators) is whether the NCCD is pursuing its goal of improving the quality of representation for the *indigent* defendant, particularly with respect to private attorneys trained by the College.

NATIONAL INSTITUTE FOR TRIAL ADVOCACY

The National Institute for Trial Advocacy uses sound teaching techniques which are widely recognized, praised, and replicated. A high percentage of participants made personal changes on the basis of training, and most participants recommend NITA to others.

NITA's faculty and teaching techniques (particularly role playing/simulation/videotaping) received very high ratings by participants. Instructors and students both expressed criticism about the manner in which trainees are mixed regarding roles and experience.

Although NITA's program management was rated highly, the evaluation team discovered deficiencies with respect to NITA's internal management. Such weaknesses as the absence of up-to-date files on faculty and trainees, and difficulty in obtaining current expenditure and budget information, indicated that tightening of management and administrative procedures would be beneficial.

SUMMARY OF RECOMMENDATIONS

As a result of the findings of this study, recommendations regarding individual institutes and the broader issues of national training programs funded by LEAA have been developed and are summarized below.

IJA

1. The Institute of Judicial Administration should amend its policy regarding the provision of travel and housing financial assistance and provide such aid only in cases of demonstrated financial need.

2. In conjunction with IJA's adoption of the first recommendation, LEAA should further reduce its funding support in FY 1980 and should aim for complete withdrawal of financial support by FY 1982.

AJC

3. A more formal, systematic approach to assessing the needs of the audience and its satisfaction with the program would be beneficial to the program development process (of the Appellate Judges' Conference) and should be attempted.

4. LEAA should increase its monitoring and ongoing evaluation of the Appellate Judges' Conference so that it can determine within the next year whether the program can be strengthened or whether funding should be terminated.

NJC

5. NJC should take appropriate and immediate action to ensure adequate minority representation on its core staff.

AAJE

6. The Academy should reassess its goals and establish priorities for planning.

7. The Academy should consider limiting its target audience to judges of limited jurisdiction, including those who are nonlaw-trained.

8. A formal needs assessment should be undertaken once the goals of the institution have been reexamined.

9. Efforts should be made to implement a faculty development program.

10. The *Judicial Education News*, the bimonthly newsletter that was terminated for financial reasons three years ago, should be resurrected.

11. The Academy catalogue, which contains policy and program information, should be rewritten for distribution.

12. The National Videotape Library should be a priority concern of the Academy.

13. The Academy should analyze the reasons for its relatively high staff turnover and take steps to correct the situation.

14. The procedures manual should be revised, completed, and approved by the Executive Director as soon as possible to assure fairness and consistency in personnel matters.

ICM

15. The Institute should develop written policies and procedures for orienting instructors to aid them in developing courses and presentations that are based on measurable outcomes or objectives.

16. The Institute should follow through on its plan to coordinate scheduling and programming of training events on court management with the National Judicial College.

17. Both ICM and LEAA should participate in a reassessment of ICM to make determinations concerning future directions, processes and funding levels for the Institute.

NCDA

18. The National College of District Attorneys should explore additional possibilities for sharing facilities, services, and personnel with the National College of Criminal Defense, including the possibility of joint training programs.

19. NCDA should reorganize its core faculty and central staff to provide for a more realistic representation of women and minorities.

20. NCDA should alter its training program monitoring procedures (and perhaps its monitoring personnel) to ensure that trainees are encouraged to attend sessions and that repeated absence will in some way be reported back to the sender organization or at least not rewarded with the presentation of CLE credits.

NCCD

21. LEAA should closely monitor the future activities of the National College of Criminal Defense to ensure that program attendance is limited to attorneys providing some reasonable amount of representation to indigent defendants.

22. NCCD should move to develop a more systematic method for identifying the needs of the audience it serves.

23. The College should reorganize its core faculty group to assure greater representation of qualified women, blacks, and other minority groups.

24. The College should take steps to assure staff representation of racial and ethnic minorities, in the spirit of equal employment opportunity.

25. The College should assign the Dean and Associate Dean to assume responsibilities formerly assigned to the Director of Training for the preparation and training of faculty for all programs, and such preparation should be strengthened.

26. LEAA should require the College to become more selective in the awarding of scholarships to private attorneys and insist on verification of the applicant's record of representing indigent defendants.

27. NCCD and NCDA should formally develop plans for the increased sharing of costs, including those suggested in this report, to take fuller advantage of their physical proximity and related interests.

NITA

28. In view of the negative impact that a further reduction of funding would have on NITA's ability to grant scholarships to public attorneys engaged in criminal practice, LEAA should attempt to maintain its current level of funding support for such scholarships.

29. NITA should unify the geographic location of its administration and establish a more efficient method of records management.

LEAA

30. LEAA should develop an inventory of all courts training programs it funds, regardless of primary supporting division or office, for the purpose of coordinating the allocation of such funds.

31. LEAA should consider ways to make SPA's and RPU's more aware of the importance of courts training and to encourage increased local funding support, where warranted.

32. LEAA should take steps, through budgetary action and program regulations, to require funded training institutes to share training materials and exchange ideas on effective teaching techniques.

33. LEAA should discuss with the CTP institutes the wisdom of placing a greater emphasis on regional training programs as an answer to increasing travel costs and limitations on out-of-state travel.

34. LEAA should move to increase its monitoring of CTP institutes by attending/observing at least two training programs of each institute annually and by visiting each institute at least once a year.

CHAPTER I

INTRODUCTION

I. INTRODUCTION

A. BACKGROUND

It has become evident over the last several years that the various participants in the American judicial system—lawyers, judges, and court administrators—too often lack the skills and training required to carry out their responsibilities effectively. These deficiencies have hampered the ability of the courts to cope with the mounting pressures caused by high crime statistics and the increasing fine tuning of due process.

In assessing their responsiveness to changing needs, those involved in the criminal justice system have reexamined legal training methods. A key result has been to emphasize more effective means of obtaining both efficiency and due process through continuing legal education.

The Law Enforcement Assistance Administration (LEAA), recognizing the importance of enhancing the quality of criminal justice, has, through its sponsorship of the Courts Training Project, provided funds over a number of years to specialized training institutions to assure their continued operation and utility. Eight national training programs have been selected by LEAA for evaluation to determine whether the projects are meeting their objectives and whether they are impacting the judicial process in the United States:

- *The National College of District Attorneys (Houston)*
- *The National College of Criminal Defense Lawyers and Public Defenders (Houston) (now known as National College of Criminal Defense)*
- *The Institute for Court Management (Denver)*
- *The National Judicial College (Reno)*
- *The American Academy of Judicial Education (Washington, D.C.)*
- *The Institute of Judicial Administration, Appellate Judges Seminars (New York)*
- *The Appellate Judges' Conference of the ABA (Chicago)*
- *The National Institute for Trial Advocacy (Chapel Hill)*

Pursuant to its authority under the Omnibus Crime Control and Safe Streets Act of 1968, LEAA contracted with McManis Associates, Inc. in October 1978 to conduct an impact evaluation of these courts training programs. The objective of the evaluation were to:

- *Develop quantitative measures of training impact;*

- *Measure the differential impact of the various training institutes and their programs;*
- *Determine the cost-effectiveness of the individual training projects in meeting their training objectives;*
- *Determine the impact of the training on the criminal justice system; and*
- *Make recommendations regarding actions, decisions and functions of LEAA and the training institutes.*

LEAA intends to use the results of this evaluation to formulate future funding and project management/monitoring decisions. The training institutes will also be able to utilize the evaluation findings to learn from effective approaches used by other institutes and to identify weaknesses in their own training approaches.

B. METHODS OF THE STUDY

The methodology designed to conduct the impact evaluation included several key features:

- *A literature search which enabled the study to interface with, and build on, other assessments of the Courts Training Project and the individual institutes. The search documented the methods and findings of other studies concerning impact evaluation of training for professionals, particularly those which are court-related.*
- *A sampling design plan which made it possible to capture data documenting the results of the various training efforts within each funded project and diffused over a number of court systems nationwide.*
- *The use of an advisory panel of court-related individuals to ensure the soundness and authenticity of the research design, to oversee the protocol efforts and advise on relations with sampled jurisdictions, and to review and comment on the data analysis.*

RESEARCH DESIGN

Literature Search

Critical to the development of an effective evaluation is a thorough understanding of existing knowledge and data sources in the subject areas of courts training projects and the assessment of courts-related training programs.

McManis utilized this fund of information, conducting a search of literature applicable to the Courts Training Project and to the evaluation of training programs. Annual reports, prior evaluations, and project grant files were reviewed and analyzed in consultation with LEAA. At the same time, published documents pertaining to training program impact evaluations and the court systems were reviewed. Set criteria were applied to this effort to ensure comprehensiveness of search. Among the criteria used were:

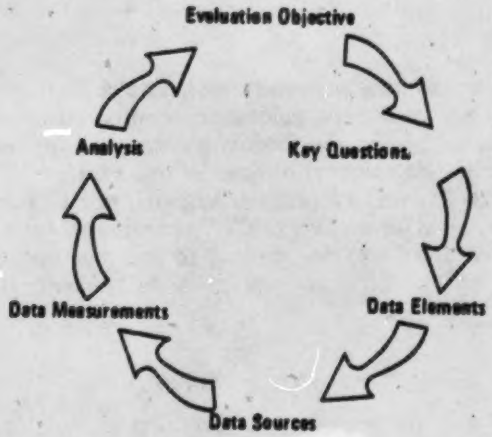
- *Timeliness—was the material up to date?*
- *Direct relevance to this effort—i.e., courts functions, performance measures for court professionals, continuing education, evaluation of training.*
- *Quality of publications, research methodology, etc., from which the information was obtained.*

The results of this literature search were used in refining the research and analysis design and also in identifying similar projects for comparison to assess the relative cost effectiveness of the Courts Training Project. (See *Appendix D.*)

Determing Data Needs

Between the literature search and the construction of the data collection instruments falls the important task of identifying the data elements which will form the basis of analyses of trainee performance. The task of identifying data elements for this evaluation was viewed within a systematic construct of data generation utilization. In other words, identification of data elements was set within a data generation cycle which moves from the general objectives of the study to key questions, to specific data elements, and then to the kinds of measurements and analyses to be used to meet the study objectives. Thus, the basic data elements for the study were part of a data generation cycle which might look like this:

DATA GENERATION CYCLE



The data elements to be retrieved in the data collection phase of an evaluation must be integrally related to the specific study objectives and to the mode and thrust of the proposed data analysis. Failure to develop a systematic data generation plan is to court misdirection and to risk gathering too much, too little, or irrelevant data. For this reason it is well to define each segment of the data generation cycle:

- *Evaluation Objectives. The specific intended evaluation outcomes.*
- *Key Questions. The basic points of inquiry to be explored with respect to training projects and the various types of trainees which will enable the contractor to meet the evaluation objectives.*
- *Data Elements. The fundamental information items which must be gathered to answer the key evaluation questions according to performance criteria.*
- *Data Sources. The one or several places where the data elements are to be found, along with the method(s) for obtaining them.*
- *Data Measurements. The method of handling and arranging the gathered data in order to present them in forms that are ready for analysis.*
- *Data Analysis. The techniques to be used in examining the data to obtain findings which will satisfy the study objectives.*

In order to systematically obtain and analyze all the data necessary to achieve the evaluation objectives, data matrices were developed. They set forth the key questions, subquestions, variables, data elements, and data sources for each of the major dimensions of the evaluation. (See *Exhibit 1*.)

Data Collection Instruments

After the data needs and sources were identified, data collection instruments were designed. These included interview topic guides, observation checklists, and other instruments which appear as samples in the Evaluation Manual (*Appendix C*). However, the key set of data collection instruments utilized in this study were designed for onsite interviews with Courts Training Project participants, non-CTP comparisons, and third party or peers/supervisors; for mailing to CTP participants; for mailing to instructors at the eight CTP institutes; and for mailing to the members of the governing boards of the eight institutes. These instruments appear in *Appendix B*.

OMB Clearance

In conformance with existing requirements governing survey efforts which involve the collection of data from more than nine individuals or organizations, a clearance

KEY QUESTION: WHAT ARE THE RESULTS OF COURTS TRAINING?

SUB-QUESTIONS (DIMENSIONS OF CHANGE)	VARIABLES	DATA ELEMENTS	SOURCES	MEASURES	ANALYSES
1. To what extent have changes in individuals' knowledge, perspective, and values occurred as a result of training?	• Knowledge	• Changes in participants'* substantive knowledge	Participant/Comparisons Interviews Instructor Questionnaires	Open End	Frequency, cross-tabulation with participants and comparison group, Cross-tabulation with role groups
	• Perspective	• Changes in participants' awareness of issues • Changes in participants' awareness of alternative approaches to problems	Participant/Comparisons Interviews (Secondary: Peer and Supervisor Interviews)		
	• Self-Concept	• Changes in participants' professional commitment • Changes in participants' confidence as practitioners	Participant/Comparisons Interviews		
	• Philosophy	• Philosophical changes in the way participants view their profession	Participant/Comparisons Interviews		
	• Values	• Reordering of role priorities	Participant/Comparisons Interviews (Secondary: Peer and Supervisor Interviews)		
2. To what extent have changes in individuals' role-related understanding and skill occurred as a result of training?	• Technical Ability	• Changes in participants' technical proficiency in meeting task requirements	Participant/Comparisons, Peer, and Supervisor Interviews; Instructor Questionnaires		
	• Work Habits	• Changes in participants' work habits, such as time management	Participant/Comparisons, Peer, and Supervisor Interviews		
	• Command of Role	• Changes in participants' capacity for understanding role-related problems	Participant/Comparisons Interviews (Secondary: Instructor Questionnaires)		
		• Changes in participants' capacity for solving role-related problems	Participant/Comparisons, Peer, and Supervisor Interviews		
	• Collegiality	• Changes in the amount of participants' communication and consultation with peers in other courts and jurisdictions	Participant/Comparisons and Peer Interviews		

Exhibit I
Page 1 of 5

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*Participant = Person having attended one or more of the eight training institutes' sessions.

KEY QUESTION: WHAT ARE THE RESULTS OF COURTS TRAINING? – Continued

SUB-QUESTIONS (DIMENSIONS OF CHANGE)	VARIABLES	DATA ELEMENTS	SOURCES	MEASURES	ANALYSES
To what extent have changes in individuals' actions and behaviors occurred as a result of training?	▪ Work Accomplishment	▪ Changes in the amount of work produced by participants ▪ Changes in the quality of work produced by participants	Participant/Comparisons and Supervisor Interviews	Open End	Frequency, Cross-tabulation with participants and comparison group, Cross-tabulation with role groups
	▪ Applications	▪ Changes in the number of technological, procedural, and other changes instituted by participants in their courts	Participant/Comparisons, Peer, and Supervisor Interviews Records and Reports other studies		
	▪ Interaction	▪ Changes in participants' style of dealing with the general public, court users, and other staff ▪ Changes in others' responses to participants	Participant/Comparisons, Peer, and Supervisor Interviews Other studies and observations		
4. To what extent have aggregate** changes occurred as a result of training?	▪ Personnel Stabilization	▪ Rate of turnover among participants in a given jurisdiction	Records	Ratio	
	▪ Relative Participant Influence	▪ Amount of change introduced by participants in relation to size of jurisdiction	Participant/Comparisons Interviews (aggregate); Records		Cross-tabulation with jurisdiction
	▪ Innovativeness	▪ Amount of change introduced by participants in relation to participant concentration (high-low) in a given jurisdiction ▪ Rate of change per amount of training in a given jurisdiction	Participant/Comparisons Interviews (aggregate); Records		▪ Cross-tabulation with concentration level ▪ Cross-tabulation with amount of training
	▪ Consensus	▪ Extent of agreement on the quality of justice provided in a given jurisdiction in relation to the concentration (high-low) of participants	Participant/Comparisons, Peer, and Supervisor Interviews	Ordinal	Cross-tabulation with concentration level

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**Within the jurisdiction.

Exhibit I
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KEY QUESTION: WHAT ARE THE STRENGTHS AND WEAKNESSES OF TRAINING?

SUB-QUESTIONS (PROCESS DIMENSIONS)	VARIABLES	DATA ELEMENTS	SOURCES	MEASURES	ANALYSES
1. How relevant is training to the work setting?	Applicability to individual needs	• Degree to which training is designed to address individual's function and role • Degree to which training is designed to achieve retention	• Participant Interviews; Instructor Questionnaires; Curricula • Participants; Instructors	Nominal	Cross-tabulation with groups of respondents
	Applicability to sponsoring organization's requirements	• Degree to which training simulates the work setting • Degree to which training is designed to achieve transfer to the work setting	• Participants; Instructors • Participants; Instructors; Peers; Supervisors	Nominal	Frequency Cross-tabulation with groups of respondents
2. To what degree is training sanctioned?	Support of individual participants	• Degree to which individual desires to attend training	Participants; Instructors	Ordinal	Frequency
	Support of sender organization	• Degree to which organization encourages attendance and reinforces/legitimizes learning back home	Participants; Supervisors; Peers	Nominal plus open end	Frequency, summary
	Support of professional organizations	• Degree to which training is endorsed by appropriate professional memberships	Core staff; Instructors; Participants; Professional organizations	Nominal	Frequency
3. How sound is the training approach?	Conceptual Grounding	• Degree to which training design is based on findings in the theory of learning • Degree to which training is upgraded and modified in relation to current state-of-the-art elements of trainings	Instructor Questionnaires; Training materials	Ordinal	Frequency, Cross-tabulation with instructor type
	Methodology	• Degree to which training is based on needs assessment • Degree to which training provides opportunities for practice • Degree to which training provides meaningful evaluation • Degree to which achievement of objectives is observable	Participant Interviews; Instructor Questionnaires; Training materials	Nominal	Frequency Cross-tabulation with groups of respondents
4. To what degree are training components related?	Needs	• Degree to which participants' needs are expressed and considered	Participants; Instructors; Application forms; Evaluations	Ordinal	Frequency

Exhibit I
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KEY QUESTION: WHAT ARE THE STRENGTHS AND WEAKNESSES OF TRAINING? – Continued

SUB-QUESTIONS (PROCESS DIMENSIONS)	VARIABLES	DATA ELEMENTS	SOURCES	MEASURES	ANALYSES
4. (Continued)	Objectives	• Degree to which expected outcomes are presented to the learner • Degree to which expected objectives are clear and succinct • Degree to which expected learner is informed of progress re: objectives	Participants; Instructors; Materials	Nominal	Cross-tabulation with type of respondent
	Activities	• Degree to which instructional events treat needs and objectives	Participants; Instructors; Materials	Nominal	Summary
	Materials	• Degree of continuity between activities and content	Participants; Instructors; Materials	Ordinal	Cross-tabulation with type of participant
5. How "credible" is the instructional staff in the eyes of the participants?*	Perceived Competence	• Degree to which instructors' substantive, practical, and teaching expertise is valued by participants	Participants, Post-session evaluations	Nominal plus open end	Cross-tabulation with type of instructor, summary
		• Degree to which instructors are called upon for continuing technical assistance after training	Instructors; Core Staff; participants	Nominal	Frequency
		• Number of times that instructor is invited back to teach/train	Instructors; Core Staff	Interval	Mean
6. What attitudes are conveyed and disseminated by the programs?	Continuing relations with institution(s)	• Desire for additional training • Desire for institutions/instructors to provide follow-up technical assistance • Frequency of return to training	Participants; Instructors; Core Staff (Outreach Data)	Nominal Interval	Frequency Mean
	Goal referencing	• Degree to which participants say they "buy into" goals • Degree to which participants attempt to make goal-related behavioral and systemic changes	Participants	Open end	Summary

*Participant = Person having attended sessions of one or more of the eight training institutions.

Exhibit I
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KEY QUESTION: WHAT ARE THE STRENGTHS AND WEAKNESSES OF TRAINING? – Continued

SUB-QUESTIONS (PROCESS DIMENSIONS)	VARIABLES	DATA ELEMENTS	SOURCES	MEASURES	ANALYSES
6. (Continued)	Multiplier Effects	• Degree to which participants publicize institutions to others • Degree to which participants and instructors use institution materials outside	Participants; Peers; Supervisors Participants; Instructors	Nominal	Frequency
7. Is the setting conducive to learning?	Composition of population	• Representativeness (of race, sex, age, geography); homogeniety (of functions, experiences)	Participants; Instructors; Core Staff; Prerequisites	Nominal	Frequency
	Program Structure	• Class size; duration; location	Participants; Instructors; Core Staff	Interval; Nominal	Mean, Frequency
	Staffing Pattern	• Match between instructor expertise and participant roles/needs; instructor availability; number of contact hours	Participants; Instructors; Core Staff; Evaluations	Nominal; Interval	Frequency, Mean
	Modeling	• Degree to which desired behaviors and skills are reinforced in various aspects of training	Participants; Instructors; Evaluations	Nominal	Frequency
	Facilities	• Adequacy of support services	Participants; Instructors; Evaluations	Ordinal	Frequency
8. By what processes are the training events managed?	Needs Analysis	• Degree to which programs are based on training population's professional needs	Core Staff; Instructors; Participants	Nominal plus open end	Frequency and Summary
	Direction; Communication; Coordination	• Degree to which objectives, procedures, and responsibilities are clear	Instructors	↓	↓
	Problem-Solving	• Degree to which procedures exist and are utilized	Instructors	↓	↓
	Feedback and training for instructors	• Degree to which instructors are appraised of expectations and performance; given orientation and developmental training	Instructors	↓	↓
	Evaluation	• Degree to which program modification is information-based	Instructors; Participants; Core Staff	↓	↓

Exhibit I
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KEY QUESTION: WHAT ARE THE STRENGTHS AND WEAKNESSES OF TRAINING? -- Continued

SUB-QUESTIONS (PROCESS DIMENSIONS)	VARIABLES	DATA ELEMENTS	SOURCES	MEASURES	ANALYSES
9. By what processes are core staff operations managed?	Decision Making	• Degree to which decisions are policy-based	Board Minutes; Board Member Questionnaire	Nominal plus open end	Frequency and Summary
	Communication	• Degree to which decisions are transmitted to organization members	Core Staff		
	Coordination	• Degree to which authority is delegated and lines of authority are clear	Core Staff; Job Descriptions		
	Problem-Solving	• Degree to which problem-solving procedures are defined and utilized	Core Staff; Procedures Manuals		
	Monitoring	• Degree to which policy changes are influenced by feedback and needs assessment	Board Minutes; Board Member Questionnaire; Core Staff		
10. What are the unit (i.e., participant-day) costs associated with different types of training?	• Costs • Training Inputs • Participants	• Scope, nature, and duration of each seminar • Total costs covered by institution funds • Total number of participants	• Budgets • Grant applications • Annual reports • Core staff interviews	Open End Ratio	Summary Descriptive Statistics

Exhibit I
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package was prepared and submitted to the Office of Management and Budget in February 1979 and approved approximately two months later (O.M.B. No. 043–S790006).

TRAINING INSTITUTES

The eight training institutes identified previously were, of course, the focal points of this evaluation. Field activities to collect necessary data fell into two general phases. One consisted of visits to the training institutes for on-site examination of their management, operations and programs, plus observation of their training programs in session. The second phase consisted of data collection at 12 randomly selected court sites where training participants, their supervisors, and comparison subjects were interviewed and the impacts of training were examined.

Visits to the training institutes served several purposes:

- *Training officials received an explanation of the impact evaluation strategy and had an opportunity to comment on and contribute to the study design;*
- *Detailed information was obtained concerning the type of training provided, dates and locations of training events, curriculum, rosters of participants, etc.;*
- *Management information was collected concerning each institute's operations, including staff and faculty qualifications, funding and fiscal administration, etc.;*
- *Key institute personnel were interviewed concerning goals, objectives, training needs and targets, training methods, etc.; and*
- *The physical facilities of the training institutes were observed, as well as their equipment and support services.*

Data collection instruments and guides which were prepared for these visits appear as samples in the Evaluation Manual in Appendix C.

Training Data Collectors

All members of the evaluation team received training in the use of data collection instruments and topic guides prior to field visits to the training institutes. The first institute visited, the American Academy of Judicial Education, was used as a training site for all of the evaluators because of its convenient location.

Visits to Institutes

All eight of the training institutes were visited by teams of two or three evaluators (except AAJE, which was visited by eight evaluators) within the first three months of the project. Each visitation was headed by a senior member of the evaluation team, and evaluators spent an average of three person-days at each institute. In all cases, the necessary data were collected during the visit and/or subsequently made available by the institute. Full cooperation was received in all instances.

Verification of Findings

Following the visitations, reports were drafted reflecting the findings of the evaluation teams. These draft reports were then made available to the institute directors or deans so that they had the opportunity to correct factual errors or misunderstandings, and so that they could add explanatory information where appropriate.

The findings resulting from the institute visitations appear in Chapter II.

Observations of Training Programs

One training program conducted by each of the training institutes was observed by the evaluators. An observation guide and rating instrument (see Evaluation Manual, Appendix C) were developed and utilized to assure uniformity of coverage.

Since each training observation consisted of an average of only two person-days and involved only one of several training programs offered by each institute, they were not used as measures of training efficiency and effectiveness. Rather, they provided the evaluators with an experience of a typical training event of each institute and a sample of the management and conduct of such programs. They also afforded evaluators an opportunity to speak with training participants and instructors during a training experience.

SAMPLE DESIGN

The overall sampling strategy was to survey participants in the eight training institutions and those responsible for setting the institution's policies and presenting the training sessions.

The sample for the study was divided into two groups of subsamples:

- *Institution-related subsamples*
- *Participant-related subsamples*

The institution-related subsamples are the training institution's instructors, core staff, and members of the board of directors. Instructors who have taught training sessions during the past three years were included in the instructor sample and surveyed by mail. In addition, the appropriate core staff of each institution were surveyed.

All members of the boards of directors of the eight training institutions were also surveyed by mail.

The participant-related subsamples are:

- *Site sample;*
- *Participant sample;*
- *Supervisor/peer sample; and*
- *Comparison group sample.*

The site sample was selected from the list of 60 sites having a high concentration of former participants in the training institutions. The sample frame was developed from the training institutions' records on residence of participants. Sites were included if they had at least one participant from each of the eight training institutions. If no sites within a state met that criteria, the site(s) with the most institutions represented was included. Therefore, all 50 states had at least one site in the sample frame. This procedure was used to assure national representation and adequate representation of each of the eight training institutions while still limiting the number of on-site visits.

A stratified random sample was used to select 10 of the 12 sites to be included in the site sample. The stratification variable was Federal region. One site for each of the 10 Federal regions was randomly selected. This procedure assured representation of all areas in the nation in the sample.

Some factors which were considered important for the site sample, were:

- *Concentration of CTP participants;*
- *Variability in type of courts in the site;*
- *Urban/rural representation;*
- *Presence of a unified court system;*
- *Presence of automated court systems, evidenced through use of PROMIS; and*
- *Representation of non-lawyer judges.*

After the stratified site sample was selected, two additional sites were selected to fill gaps that existed among the factors considered important. These sites were chosen randomly from the group of similar sites in the original sample frame. (See *Exhibit 2*.)

CHARACTERISTICS OF SITE SAMPLE

	Structure:	Unified Court System		Nonunified Court System	
	Geograhical Area :	Rural/Small Population	Urban/Large Population	Rural/Small Population	Urban/Large Population
Concentration of Participants:	Low %		Site No. 2 Site No. 8		Site No. 1 Site No. 3 Site No. 5 Site No. 6 Site No. 7 Site No. 9
	High %	Site No. 4 Site No. 11	Site No. 12	Site No. 10	

Within each sample site, all participants of training institutions were included in the survey sample. This sample included trial judges, intermediate appellate judges, state supreme court justices, non-lawyer judges, prosecutors, defenders, court administrators, court clerks, and others. A participant subsample was selected for on-site interviews. The remaining participants were surveyed by mail if it was not possible to conduct interviews with them.

A second interview sample for each site included participants' supervisors and/or peers.

A third sample was interviewed at each site. The comparison group sample consisted of individuals who were matched to the participants in the participant interview sample on the basis of job role. The comparison group, however, had not attended any of the institutions' training sessions.

In summary, the final sample included:

481 training institute participants;
210 comparisons;
74 supervisors/peers;
225 instructors; and
57 members of institute governing boards.
1,047

Information concerning participants, comparisons, instructors and governing board members is displayed in *Tables 1-6*.

Information detailing those in the study group at each of the 12 sites is shown in *Tables 7A-7L*.

Screening Visits

One technique which contributed to the success of the sample selection and the fact that the numbers of individuals in each category approached the maximum targets was the screening visit made to each potential jurisdiction before final site selection was determined. These screening visits, conducted by senior evaluation staff, usually involved meetings with the chief justice of the state, the presiding judge at the site, the state court administrator, the chief prosecutor, and the chief defender, as well as the director of the state planning agency or regional planning unit. The purposes of the screening visits included verifying the presence of training participants whose names were supplied by the institutes, selection of comparison and supervisor interviewees, collection of necessary data, and assessment of the degree of cooperation and support the site visit would be accorded.

TABLE 1

NUMBER IN STUDY

Role Group	CTP Participants*									Comparison	Total
	NCDA	NCCD	ICM	NJC	AAJE	IJA	AJC	NITA	Total		
Appellate judge	–	–	–	5	8	14	22	–	49	24	73
Trial judge	1	–	1	102	23	–	–	–	127	66	193
Private attorney	6	29	–	1	–	–	–	11	47	6	53
Prosecutor	85	2	–	–	–	–	–	9	96	60	156
Public Defender	2	69	–	–	–	–	–	2	73	28	101
Court administrator	–	–	27	5	–	–	–	–	32	14	46
Court clerk	–	–	12	–	–	–	–	–	12	5	17
Other	14	4	21	2	1	–	–	3	45	7	52
Total	108	104	61	115	32	14	22	25	481	210	691

*Three appellate judges, six trial judges, two private attorneys, one public defender, and two court administrators were counted once for each of two institutes for which a training assessment was completed.

TABLE 2

CHARACTERISTICS OF CTP PARTICIPANTS

Role Group	Sex		Racial/Ethnic Background				Highest Degree				Type/Avg. Years Experience		
	M	F	Asian	Hispanic	Black, not Hispanic	White	H.S.	Bachelor's	Master's	Law Degree	Law/ Court	Professional	Current Position
Appellate judge	45	1				46				46	29.3	30.2	4.6
Trial judge	112	9	1		6	114	4	2		115	23.7	24.3	6.7
Private attorney	38	7			1	44				45	7.3	8.3	4.3
Prosecutor	88	8	2	2	4	88			1	95	7.3	8.1	4.0
Public defender	64	8	2	2	4	64			1	71	5.6	6.7	3.1
Court administrator	25	5				30	6	9	8	7	10.6	15.0	4.6
Court clerk	8	4				12	7	3		2	18.3	23.3	7.4
Other	33	12			3	45	8	13	9	15	11.0	13.2	4.2
Total	413	54	5	4	18	443	25	27	19	396			

TABLE 3

CHARACTERISTICS OF CTP COMPARISON GROUP

Role Group	Sex		Racial/Ethnic Background				Highest Degree					Type/Avg. Years Experience		
	M	F	American Indian	Hispanic	Black, not Hispanic	White	H.S.	Bachelor's	Master's	Ph.D.	Law	Law/ Court	Professional	Current Position
Appellate judge	23	1	1		1	22				1	23	33.4	34.3	8.0
Trial judge	62	4		1	7	58					66	25.4	26.0	8.6
Private attorney	6					6					6	10.2	10.8	9.8
Prosecutor	48	12		2	2	56					58*	6.1	6.7	3.0
Public defender	19	9				28					28	4.4	5.0	2.7
Court administrator	7	7				14	6	3	4		1	9.1	14.2	2.4
Court clerk	2	3				5	4				1	8.8	17.6	6.6
Other	7	0			1	6		2	1	2	2	13.4	17.0	4.0
Total	174	36	1	3	11	195	10	5	5	3	185			

*Two respondents did not provide highest degree.

TABLE 4

AMOUNT OF TRAINING

Role Group	CTP Participants		Comparisons	
	Average Number of Courses Last 5 Years	Average Total Number of Courses	Average Number of Courses Last 5 Years	Average Total Number of Courses
Appellate judge	3.2	3.8	1.1	1.7
Trial judge	3.3	4.1	2.6	2.9
Private attorney	3.3	3.4	4.0	4.4
Prosecutor	3.0	3.3	2.8	2.8
Public defender	3.9	4.1	2.9	3.0
Court administrator	3.8	4.0	0.8	1.1
Court clerk	3.8	4.1	0.8	0.8
Other	2.0	2.5	2.0	2.1

TABLE 4A

TYPE OF TRAINING TAKEN

Role Group	CTP Participants					Comparisons				
	Average No. CTP Courses	Average No. State Courses	Average No. Other Federal Courses	Average No. Private Courses	Average No. Other Courses	Average* No. CTP Courses	Average No. State Courses	Average No. Other Federal Courses	Average No. Private Courses	Average No. Other Courses
Appellate judge	2.3	0.9	0.1	0.8	<0.05	0.6	1.3	0.2	0.3	0.2
Trial judge	2.1	1.6	0.1	0.3	0.1	0.2	2.4	0.1	0.4	0.1
Private attorney	1.8	0.6	<0.05	1.0	0.1	–	1.0	–	2.7	1.5
Prosecutor	1.5	0.5	0.3	0.7	0.2	<0.05	1.3	0.2	1.2	0.2
Public defender	1.5	0.6	0.1	0.9	0.1	0.1	1.6	<0.05	1.2	<0.05
Court administrator	2.1	0.8	0.4	0.7	0.3	–	0.1	0.2	0.2	0.6
Court clerk	2.3	0.4	0.3	0.6	0.4	–	0.4	–	0.4	–
Other	1.4	0.3	0.3	0.3	0.1	0.3	1.1	–	0.6	0.1

*CTP participants were treated as comparisons if the institute course was taken more than 10 years ago or if they felt they could not remember enough to complete the training assessment.

TABLE 5

CHARACTERISTICS OF CTP INSTRUCTORS

Institute	N	Characteristics of CTP Instructors								Highest Degree							Average Years Law/Court Experience	Average Years Professional Experience	Average Years Associated with Institute as Instructor
		Sex		Native American	Asian	Black	Hispanic	White	No Response	HS	BA/BS	Masters	PhD	Law	Medical	No Response			
		M	F																
NCDA	44	40 (91%)	4 (9%)	1	1	–	–	41	1	1	3	3	2	30	5	–	13.4	16.7	2.8
NCCD	25	24 (96%)	1 (4%)	–	–	–	1	23	1	–	1	–	–	20	2	2	16.2	17.2	3.6
ICM	28	26 (93%)	2 (7%)	1	1	–	1	24	1	1	5	8	7	7	–	–	11.2	17.1	4.0
NJC	51	47 (92%)	4 (8%)	–	–	–	–	51	–	1	1	–	4	45	–	–	22.3	23.9	5.3
AAJE	28	26 (93%)	2 (7%)	–	–	–	–	28	–	–	1	1	5	21	–	–	17.1	23.0	5.1
IJA	7	6 (86%)	1 (14%)	1	–	–	–	6	–	–	–	–	–	7	–	–	17.7	20.7	5.7
AJC (ABA)	21	21 (100%)	–	–	–	–	–	19	2	1	–	–	–	20	–	–	19.1	27.9	4.0
NITA	21	16 (76%)	5 (24%)	–	–	1	1	18	1	–	–	–	–	21	–	–	12.9	13.4	4.2
Total	225	206 (92%)	19 (8%)	3	2	1	3	210	6	4	11	12	18	171	7	2	16.2	19.9	4.2

TABLE 6

CHARACTERISTICS OF CTP BOARDS OF DIRECTORS

Institute	Number of Board Members*	Number of Respondents	Response Rate	Average Years on Board	% of Respondents Who Attended Institute Training	% of Respondents Affiliated with Other Judicial Training Programs
NCDA	13	6	46%	8	50	100
NCCD	12	8	67%	4	75	88
ICM	11	8	73%	5	100	50
NJC	15	8	53%	5	75	75
AAJE	7	5	71%	5	100	100
IJA	27	4**	15%	4	–	50
AJC (ABA)	12	8	67%	4	88	88
NITA	17	10	59%	7	80	70
Total	117	57	49%			

*From lists supplied by each Institute.

**Two respondents did not fill out questionnaires but sent explanatory letters. They are not included in calculations.

TABLE 7A (Site 1)

NUMBER IN STUDY

Role Group	CTP Participants*									Comparison	Supervisor/ Third Party
	NCDA	NCCD	ICM	NJC	AAJE	IJA	AJC	NITA	Total		
Appellate judge						1			1		2
Trial judge				9	1				10		3
Private attorney	4	2						1	7		–
Prosecutor	13	1						1	15	2	2
Public Defender		6							6	3	1
Court administrator									–		2
Court clerk			4						4		2
Other		1	6						7		2
Total	17	10	10	9	1	1	–	2	50	5	14

*One private attorney counted once for each of two institutes.

TABLE 7B (Site 2)

NUMBER IN STUDY

Role Group	CTP Participants									Comparison	Supervisor/ Third Party
	NCDA	NCCD	ICM	NJC	AAJE	IJA	AJC	NITA	Total		
Appellate judge							1		1	1	
Trial judge				3					3	4	2
Private attorney		3							3		
Prosecutor	8								8	8	2
Public Defender		2							2		
Court administrator									–		
Court clerk			1						1		1
Other	1	1							2		
Total	9	6	1	3	–	–	1	–	20	13	5

TABLE 7C (Site 3)

NUMBER IN STUDY

Role Group	CTP Participants*									Comparison	Supervisor/ Third Party
	NCDA	NCCD	ICM	NJC	AAJE	IJA	AJC	NITA	Total		
Appellate judge						1	3		4	1	
Trial judge				9	3				12	19	1
Private attorney		1							1		
Prosecutor	9								9	2	1
Public Defender									–	2	
Court administrator			1	1					2		1
Court clerk			1						1		
Other	1		3						4		
Total	10	1	5	10	3	1	3	–	33	24	3

*One court administrator was counted for each of two institutes.

TABLE 7D (Site 4)

NUMBER IN STUDY

Role Group	CTP Participants*									Comparison	Supervisor/ Third Party
	NCDA	NCCD	ICM	NJC	AAJE	IJA	AJC	NITA	Total		
Appellate judge					1	1	3		5	1	1
Trial judge	1			1					2	2	1
Private attorney									—	—	
Prosecutor	3								3	4	1
Public Defender	1	14						1	16	5	
Court administrator			11	1					12	9	1
Court clerk			2						2	1	
Other	1		1	1	1				4	2	1
Total	6	14	14	3	2	1	3	1	44	24	5

One appellate judge was counted once for each of two institutes.

TABLE 7E (Site 5)

NUMBER IN STUDY

Role Group	CTP Participants*									Comparison	Supervisor/ Third Party
	NCDA	NCCD	ICM	NJC	AAJE	IJA	AJC	NITA	Total		
Appellate judge					1	2	1		4		
Trial judge				11	2				13	8	2
Private attorney		3						1	4		
Prosecutor	12								12	12	2
Public Defender		9							9	1	1
Court administrator			2	1					3		
Court clerk			1						1		
Other		2	2						4		1
Total	12	14	5	12	3	2	1	1	50	21	6

*One appellate judge, one private attorney, and one court administrator were counted once for each of two institutes.

TABLE 7F (Site 6)

NUMBER IN STUDY

Role Group	CTP Participants*									Comparison	Supervisor/ Third Party
	NCDA	NCCD	ICM	NJC	AAJE	IJA	AJC	NITA	Total		
Appellate judge					2	1			3	1	
Trial judge				14	6				20	6	
Private attorney		3						2	5		
Prosecutor	2								2		1
Public Defender									–		
Court administrator			2						2		
Court clerk									–		
Other	1								1		
Total	3	3	2	14	8	1	–	2	33	7	1

*Two trial judges have been counted once for each of two institutes.

TABLE 7G (Site 7)

NUMBER IN STUDY

Role Group	CTP Participants									Comparison	Supervisor/ Third Party
	NCDA	NCCD	ICM	NJC	AAJE	IJA	AJC	NITA	Total		
Appellate judge				1	1		5		7	3	
Trial judge				14	1				15	11	2
Private attorney		6		1				2	9	1	
Prosecutor	1							2	3	3	1
Public Defender		7						1	8	4	1
Court administrator			1	1					2	1	1
Court clerk			1						1		
Other								1	1		
Total	1	13	2	17	2	–	5	6	46	23	5

TABLE 7H (Site 8)

NUMBER IN STUDY

Role Group	CTP Participants*									Comparison	Supervisor/ Third Party
	NCDA	NCCD	ICM	NJC	AAJE	IJA	AJC	NITA	Total		
Appellate judge							3		3	4	
Trial judge				16	2				18	2	1
Private attorney	1	2						3	6	1	
Prosecutor	13								13	3	2
Public Defender	1	10							11	1	1
Court administrator			5	1					6	2	1
Court clerk			1						1	3	1
Other	5		1						6	3	1
Total	20	12	7	17	2	–	3	3	64	19	7

*One trial judge and one public defender were counted once for each of two institutes.

TABLE 7I (Site 9)

NUMBER IN STUDY

Role Group	CTP Participants									Comparison	Supervisor/ Third Party
	NCDA	NCCD	ICM	NJC	AAJE	IJA	AJC	NITA	Total		
Appellate judge						2			2	5	3
Trial judge				1					1	4	
Private attorney		1						2	3		
Prosecutor	9							1	10		2
Public Defender		11							11		1
Court administrator									–		2
Court clerk			1						1		
Other	1		4					1	6		
Total	10	12	5	1	–	2	–	4	34	9	8

TABLE 7J (Site 10)

NUMBER IN STUDY

Role Group	CTP Participants									Comparison	Supervisor/ Third Party
	NCDA	NCCD	ICM	NJC	AAJE	IJA	AJC	NITA	Total		
Appellate judge				1	1	3	5		10	4	2
Trial judge				9					9		1
Private attorney									—		
Prosecutor	5								5		
Public Defender		1							1		
Court administrator			1						1		1
Court clerk									—		
Other			4	1					5		
Total	5	1	5	11	1	3	5	–	31	4	4

TABLE 7K (Site 11)

NUMBER IN STUDY

Role Group	CTP Participants*									Comparison	Supervisor/ Third Party
	NCDA	NCCD	ICM	NJC	AAJE	IJA	AJC	NITA	Total		
Appellate judge				2		2			4		1
Trial judge				10	5				15	2	2
Private attorney	1	4							5		
Prosecutor	6							4	10	9	2
Public Defender		4							4	6	3
Court administrator									–		
Court clerk									–	1	
Other	3								3		
Total	10	8	–	12	5	2	–	4	41	18	8

One appellate judge and three trial judges were counted once for each of two institutes.

TABLE 7L (Site 12)

NUMBER IN STUDY

Role Group	CTP Participants									Comparison	Supervisor/ Third Party
	NCDA	NCCD	ICM	NJC	AAJE	IJA	AJC	NITA	Total		
Appellate judge				1	2	1	1		5	4	1
Trial judge			1	5	3				9	8	
Private attorney		4							4	4	
Prosecutor	4	1						1	6	17	1
Public Defender		5							5	6	2
Court administrator			4						4	2	2
Court clerk									—	—	—
Other	1							1	2	2	2
Total	5	10	5	6	5	1	1	2	35	43	8

DATA COLLECTION FOR IMPACT EVALUATION

Six data collection instruments were designed for use in this evaluation. They are:

- *Training participant questionnaire (mail survey)*
- *Training participant interview*
- *Comparison group interview*
- *Supervisor/peer interview*
- *Board of Director's questionnaire (mail survey)*
- *Instructor questionnaire (mail survey)*

(An example of each of these instruments appears in Appendix B.)

Members of the data collection/field survey teams were trained in the use of the interview instruments and in other matters related to the site visits and data collection generally. A procedures manual (see Appendix C) was developed for training purposes and for ongoing use of the data collectors during the course of the project.

Pilot Test

In order to test the interview instruments (and in some cases the mail questionnaires) and further train the data collectors under actual field conditions, a pilot test was conducted in March 1979 in a relatively small, urban, unified court system not far from Washington, D.C. The pilot test also permitted the evaluators to test all aspects of managing site visits and to examine the workability of the plans and procedures which had been devised in advance.

As a result of the pilot test, changes were made in the procedures manual, and some adjustments were made in data collection instruments.

Site Visits

Following the selection of the 12 sample sites and the screening visits, discussed previously, site visit schedules were formulated and arrangements made, including the setting of interview appointments with training institute participants, comparison individuals, supervisors, and other appropriate personnel at each of the sites.

The field surveys began in late May and were concluded in late August 1979.

Each of the 12 sample sites was treated as an individual case study, and a report was prepared describing each jurisdiction within the site, the types of interview subjects who were contacted, and the findings at the site. The 12 case studies appear in ***Appendix A***.

C. ROLE OF THE NATIONAL ADVISORY BOARD

To augment the capabilities of the evaluation project team, a National Advisory Board was established, composed of nationally recognized experts in the field of criminal justice administration. The eight members of the Board were:

Dr. Junius Allison, Professor Emeritus, Vanderbilt University School of Law;

Dr. Ralph C. Bledsoe, Professor, Federal Executive Institute, U.S. Office of Personnel Management;

Ms. Frances Boronski, Chief of Civil Court Services, Administrative Office of the Courts, State of New Jersey;

Dr. Charles Edelstein, Assistant Professor, Department of Criminal Justice Administration and Law, Florida Atlantic University; (recently appointed County Judge, Dade County, Florida);

James Farrar, Court Administrator, 61st District Court, Grand Rapids, Michigan;

Ms. Nancy Goldberg, President, National Defender Institute, Chicago, Illinois;

Marshall Hartman, National Defender Institute, former National Director of Defender Services for the National Legal Aid and Defender Association; and

Honorable Edward Pringle, Former Chief Justice, Colorado Supreme Court; (currently Director of Legal Research and Writing Program, University of Denver College of Law).

The National Advisory Board fulfilled an extremely important set of functions. The Board did not merely have a review function to perform but played an integral part in the way the project evolved.

The mix of the Board was vital. Members were specifically chosen because their education, experience, and professional orientation covered the fields of judicial administration, court administration, legal education and trial advocacy, which were to be the dominant concerns of the study.

The National Advisory Board members had the capacity to offer methodological guidance to the research team. They could help in formulating and refining the research design, particularly as it related to performance indicators, to the sample design and the size of the population which was to be studied. They were helpful in their suggestions of corroborating data that could be obtained from the training sites where a process evaluation was to be undertaken and at the courts where the experimental group and controls were to be interviewed.

From the background of their experience the Board could offer practical insights into the operation of the system and to guide the evaluators. Some Board members were currently working in courts: an appellate judge, court administrators, researchers, practicing attorneys and educators. It was felt that the Board members could help to open the system to the research team through their insights. They also advised the director of the project about the proper protocol to be followed in setting up a research team at a court site for a few days in order to draw from the site the desired information.

Certain members of the Board, because of their involvement in a great number of cognate projects, or who, themselves, had been intimately involved in training programs of the type to be evaluated, were looked upon as ongoing resource persons, to be called when questions arose concerning methodological, practical, or other problems. As indicated above, the Board members were representative of the different role types under study, and they provided an orientation to their unique points of view. As researchers, the evaluation team had an excellent theoretical background in the work that the role types performed, but the Board members had an "insider's" point of view.

The Board met at three critical points in the life of the study. At these meetings they assisted in the evaluation of the project itself, critically evaluated the "do-ability" of the project, evaluated instruments for data collection and aggregation, and reviewed interim reports which had been sent to them. At the meetings they discussed research strategies. They helped the evaluation team to clarify the evaluation criteria and were instrumental in focusing on key issues. On the threshold of the site visits, they worked with the staff in the evaluation of the pilot study project. Revisions were made in the instruments after a discussion with the staff. They helped in the development of a site typology, making possible a better selection of sites.

Finally, the products of the study (this final report) were distributed to the Board and reviewed by them prior to submission to the LEAA.

D. CONSTRAINTS

Methodology

The major methodological constraints facing this impact evaluation resulted from the fact that the evaluation took place long after the start of the training programs, in some cases over a decade later. Because of the ex post facto nature of the study, it was not possible to randomize the selection of the experimental and comparison observations, nor was it possible to make pre- and post-attendance analyses in order to assess the impact of the training.

Impact Measures

The unavailability or unreliability of "objective" performance data within the local criminal justice systems led the evaluation team to rely on participant/comparison self-reports of incidence of change as the impact measure. In addition, the wide differences among the institutes with respect to clientele, history, objectives, methodologies, training formats, funding sources, and other resources made systematic comparisons among institutes extremely difficult. Thus, the quantification of impact findings in this report is intended to provide general indications of institute performance based upon respondent perceptions of applying what was learned.

The Comparison Group

The comparability of the comparison groups was limited by several factors: some comparison respondents were new hires or new appointees who had not yet attended training; others considered themselves too "old" or too busy to attend training. Thus, while the average number of years of experience may be comparable, the comparison group lacks genuine comparability. Still other comparsion respondents had attended training programs not included in this evaluation, making them "participants" in other court-related training. Where this condition prevailed, the study obviously did not have a strict quasi-experimental situation of treatment vs. nontreatment.

Analysis

While the site sample provided a good representation of court systems and the case studies provided a "flavor" for systemic impact, the resulting participant sample was too small to meaningfully disaggregate the findings by the duration of the training event attended, number of years since training, and the number of years' experience in one's job. This was a major constraint in determining the differential effects of various types of training provided by a given institute. To the extent possible, the impact section of the case studies takes note of these variables.

Quantifiable Confirmatory Data

A more general constraint involved the lack of quantifiable supporting data. This was true to a certain extent for all sites and all role groups. Little data were available from the sites themselves; background material was frequently supplied by studies made by the National Center for State Courts. Information obtained from State Planning Agencies (SPA's) and Regional Planning Units (RPU's) was negligible. Local court administrators had little to offer beyond statistical summaries that they supplied to the State Court Administrators. Some court administrators simply referred the evaluators directly to the state court administration. The annual reports of the state court administrators provided little data that could be used to support statements of change or impact made by participants or controls. Administrative officials in prosecuting and defending agencies rarely had data to offer, except of a very general nature, even in those states where PROMIS was being used. As the National Advisory Board had pointed out, statistical data across sites are not uniform, and meaningful comparisons could not be made.

The capturing of corroborative data, if and where available, would have required a much more intensive collection effort than was feasible given the time and cost constraints. The number of sites would have had to have been curtailed, and a team would have had to remain on site for several weeks, establishing rapport with professionals, administrators and clerks, and aggregating the data in the files.

Data Collection

It was assumed that interviews with supervisors could yield some measure of changed performance on a pre- and post-training basis. However, supervisors' information, especially that of presiding judges, tended to exhibit only limited knowledge concerning their colleagues' actual job performance. When the interviews were not "void for vagueness," it seemed almost a point of honor for presiding judges not to know what goes on in the courts of other judges, even subordinates. Thus, it became difficult, if not impossible, to ascertain whether training programs were producing impact on judicial demeanor, sentencing, speed, administration, etc., at least from the information supplied by presiding judges. This problem was not as great among prosecutors, defenders, or court administrators who were in a better position to observe the performance of junior or support staff.

Locating and Classifying Participants

Another problem encountered by the evaluators in securing the data was the difficulty in locating members of the experimental group. This was partly caused by the rapid turnover of personnel. In addition, some of the lists furnished by the training institutes were inaccurate.

Respondent Recall

A somewhat more serious constraint resulted from the inability of members of the participant (experimental) group to be able to clearly separate what had been derived from the program being evaluated as distinct from other programs that had been attended. This seemed to be particularly true of the assistant district attorney group, since members had attended a variety of in-state or in-service programs. Some had attended special out-of-state programs in organized crime but had also received training from NCDA on the same topic. This inability to differentiate between programs tended to obscure somewhat the validity of their observations concerning the impact of the Houston program. Respondents who were unable to recall specific training events were treated as comparison interviews in the analysis.

The Scope of the Study

Although respondents sometimes mentioned areas of unmet needs (which are noted in the report), it was not an objective of this evaluation to perform a needs assessment or a systematic assessment of unmet needs. Likewise, it was not within the scope of the study to determine the extent to which the institutes were reaching their respective constituent groups, i.e., penetrating the universe of potential trainees on a nationwide basis. The case studies do, however, give a general indication of the amount of training which has occurred within the local jurisdiction.

In summary, a training evaluation of this type is susceptible to a number of natural constraints—some endemic to ex post facto studies and others unique to the work environment of the Court Training Programs clientele. During the study design the following major constraints emerged:

- *Quantitative measures of training impact were only available through participants' self-reports of change with respect to knowledge, procedures, and priorities.*
- *The determination of differential impact and cost effectiveness of the respective institutes was hampered by the dissimilarity of the institutes' programs, missions, and clientele.*
- *The determination of impact of the training upon the criminal justice system also had to be based upon participant/peer perceptions, set within the contextual framework of the local case study.*

Thus, while the evaluation team was able to pursue and address the original study objectives, the methodology and findings were limited by the aforementioned constraints. Accordingly, as long as these constraints are understood, the study findings should provide the respective institutes and LEAA with insights for improving or affirming the policies and approaches of the Courts Training Program.

CHAPTER II

FINDINGS

II. FINDINGS

This chapter sets forth the findings of the study as they apply to the eight training institutes, their training programs, and the impact of that training as measured by various types of changes which have or have not occurred as a result.

A. THE TRAINING INSTITUTES AND TRAINING PROGRAMS

Eight training institutes which participate in LEAA's Courts Training Program are the central focus of this evaluation. They are:

- *The Institute of Judicial Administration, provider of the Appellate Judges Seminars;*
- *The American Bar Association's Appellate Judges' Conference;*
- *The National Judical College;*
- *The American Academy of Judicial Education;*
- *The Institute for Court Management;*
- *The National College of District Attorneys;*
- *The National College of Criminal Defense Lawyers and Public Defenders (now known as the National College of Criminal Defense); and*
- *The National Institute for Trial Advocacy.*

Data which serve as the basis for these findings were collected during evaluation team visits to each of the training institutes, which included interviews with key institute personnel, examination of pertinent records and documents, and observation of ongoing activities; during the on-site observation of selected training programs conducted by the institutes; from the mail questionnaire responses of faculty and members of the governing boards of each of the institutes; and from interviews with training institute participants in 12 randomly selected court systems throughout the country.

Data collection efforts were initiated by obtaining and analyzing a variety of written material concerning each institution and its training programs. This was followed by site visits to each of the eight training institutions. The site visits were undertaken to:

- *Familiarize each institution with the purposes of the impact evaluation;*

- *Observe the institution's center of operations and conduct interviews with key officials and staff;*

- *Obtain information and documents pertaining to the training programs, including course objectives, curriculum design, faculty and participant rosters, and dates and locations of courses;*

- *Obtain information concerning the management of the training institution and its programs, including staff qualifications and responsibilities, funding sources and patterns, and fiscal management; and*

- *Seek the assistance of training program directors in subsequent data collection activities, at training programs selected for observation and in selected court systems throughout the country.*

Methodology

Several preparatory steps were taken prior to site visits to assure the maximum use of staff time at each of the eight training institutions. Interview instruments were designed and tested to obtain management, program and funding information. Letters were sent to each institution explaining the format of the planned visit, suggesting a schedule, and listing the categories of information which could be assembled beforehand for discussion during the visitation.

To familiarize themselves with the institution to be visited, each interview team reviewed literature and reports regarding the institution and its programs well in advance of the visit. These materials included grant applications, progress reports, previous evaluations, brochures and training materials.

Each site visit was conducted by at least two evaluators and led by a senior member of the project staff. The length of time required for each visitation varied, but the average was four to five person-days and two to two-and-a-half calendar days. The typical agenda included a kick-off meeting with the executive director and key staff of the institution to explain the purpose of the visit, followed by several individual interviews with appropriate staff, utilizing the survey instruments as a point of departure. An exit interview, usually with the executive or institution director, was scheduled at the conclusion of the visit to review the data collection effort. At only one of the eight institutions were the evaluators able to observe training programs in progress during the site visit. Training programs of other institutions were monitored at later dates.

Cautions

Some words of caution are appropriate here, as examination of the eight training institutes begins:

- *There are serious pitfalls in attempting to compare institutes in terms of relative impact. Each institute has its unique goals, objectives, cur-*

riculum, and participant group. Accordingly, the eight institutes are not truly comparable for the assessment of outcomes.

- *With a number of respondents having attended more than one of the subject institutes, it would be hazardous to ascribe change to one institute at the exclusion of the other. Indeed, a few respondents had some difficulty distinguishing between training sponsors, training events, and outcomes involving more than one Courts Training Program.*

- *Care should be taken in interpretation of the percentages used in the various tables when the number of respondents is small.*

- *Finally, with respect to those findings developed during the institution site visits, the visits were completed in late 1978 and the findings reflect the conditions that existed at the time, unless otherwise specified. During 1979, the institutes and LEAA—separately and jointly—reviewed our findings and preliminary recommendations. A number of the weaknesses reflected in the findings have already been the subject of remedial action by the institutes.*

1. INSTITUTE OF JUDICIAL ADMINISTRATION APPELLATE JUDGES SEMINARS

The Institute of Judicial Administration, New York University School of Law, which is responsible for conducting the Appellate Judges Seminars, was visited on November 30, 1978 by a two-member interview team. Prior to the visit, extensive telephone interviews had been conducted with two former directors of the Appellate Judges Seminar Program. The site visit was initiated with a meeting with the office manager to review documents which had been assembled for the evaluation team, the proposed schedule for the visit, and the IJA personnel who were to be interviewed. The team then met with the new director of IJA to explain the purposes of the impact evaluation and the site visit. A lengthy and detailed interview was then conducted with the director, utilizing the project director quesionnaire and other appropriate interview instruments as guides. Subsequent interviews were conducted with the office manager and with the fiscal officer, and numerous documents were collected and reviewed with them. Because of other pressing business in the office (the preparation of a state grant application), it was not possible for the evaluation team to conduct an exit interview with the director, but a brief status report was made to the office manager. In addition, a draft of the findings contained in this report was submitted to IJA for confirmation purposes.

History of Institution

The Appellate Judges Seminar Program of the Institute of Judicial Administration was the first major program developed for the continuing education of appellate court judges. Initiated in 1956, the seminars have been attended by approximately half the Supreme Court and intermediate Courts of Appeal judges in the country, including at least three members of the U.S. Supreme Court. The program format has been relatively unchanged for the past 22 years. Two residential seminars are offered each summer, one for judges of the highest appellate courts and one for judges of the intermediate appellate courts. Each seminar lasts approximately two weeks, and the number of participants in each is limited to about 20 judges. New appellate judges are given preference in the selection process.

The Appellate Judges Seminar Program was founded and nurtured by Professor Robert A. Leflar during his 20-year term as its director. He continues to serve as consulting director. Professor Leflar was succeeded as director by Professor James C. Kirby, who held the position for two years, until 1978. The present director is Nicholas Scoppetta, who has an extensive background of public service in New York City. He was appointed Director of IJA in July 1978.

The staff of IJA numbers nine, but only the director and the office manager are considered the core staff for the seminar program. Two other IJA staff members provide a minimal amount of administrative support time to the seminar program.

The policy governing the Appellate Judges Seminars is established jointly by the Dean of the New York University School of Law and the Director of the IJA.

The Appellate Judges Seminars have been funded in part by LEAA since 1973, but considerable financial support has been provided by other sources through IJA. The most consistent source of support has been West Publishing Company, which has provided an annual $25,000 grant to the seminar program since 1973. The pattern of LEAA funding has been as follows:

1973 – $51,000
1974 – $44,605
1975 – $45,000
1976 – $45,000
1977 – $63,299
1978 – $39,950

Goals and Objectives of the Institution

The goals and objectives of the Appellate Judges Seminar Program are to provide continuing judicial education and to improve the quality of decision making and the administration of the appellate courts.

These words are not explicitly stated in offical documents but were gleaned from various written material and from interviews with key seminar officials.

Programs

Trends: During the past five years (actually, during the past 22 years), the program goals of the Appellate Judges Seminar Program have remained constant—to update the knowledge of appellate court judges as to procedures, techniques and issues. There has been no deviation from the general program content and format of the seminars.

Current: The programs presented at the most recent Appellate Judges Seminars were as follows:

INTERMEDIATE APPELLATE JUDGES SEMINAR

Judicial Administration including Supervisory Administration, the Decisional Process, Relationships between Intermediate and Higher Appellate Courts, Efficient Administration of an Entire Judicial System, and Technological Aids.

Appellate Review in Criminal Cases.

New Developments in Conflict of Laws.

Appellate Review of Decisons of Administrative Agencies.

Principles and Techniques of Statutory Interpretation.

Free Press and Fair Trial.

Law and the Computers.

Nature and Function of the Appellate Judicial Process.

Opinions including Critique of Quality of Judicial Opinions, Style in Judicial Writing, and What a Law Editor Looks for in Judicial Opinions.

State Courts and the Federal System.

Current Trends in Accident Law.

SENIOR APPELLATE JUDGES SEMINAR

All of the programs listed for the Intermediate Appellate Judges Seminar, plus the following:

U.S. Supreme Court Current Decisions.

These programs were presented at two separate residential seminars, each consisting of two five-day weeks of sessions. A typical day extended from 9 a.m. to 4 p.m. and consisted of three sessions of 1-1/2 hours each. The faculty for each seminar consists of approximately 12 members including experienced judges, law professors and administrators. Most subjects are taught on a team basis, and participation and discussion by all faculty and seminar attendees are strongly encouraged.

Needs Analysis and Curriculum Development: A cyclical curriculum planning process has been established over the years which combines the elements of the needs analysis and curriculum development. Simply stated, the process includes the collection of information from faculty and participants after each seminar. The participants, through informal conversations with seminar leaders and through anonymous evaluation questionnaires, comment on the strengths and weaknesses of the seminar and the subjects that were (or were not) presented. The faculty, in a more formal manner, meet with the program director to discuss the seminar and program content, the participant responses, and their impressions of the participants. (The latter subject is addressed for the purpose of identifying possible future faculty members.)

As a result of these actions, the program director is able to develop a preliminary list of topics to be presented at the next seminars. About three months prior to those seminars, the preliminary list of topics is sent to the registrants for their review and comments in order to determine if the needs of the participants are being addressed. Based on the responses, the seminar program is shaped into final form. The process of faculty and participant input is repeated at the end of the seminar.

Faculty Selection and Development: As stated previously, the faculty of the Appellate Judges Seminar Program consists of approximately 12 members including experienced judges, law professors and administrators. Virtually all of the faculty are "graduates" of the Appellate Judges Seminars who were identified as potential faculty because of their performances at the seminars and/or because of the national reputations they earned subsequently. The composition of this core faculty is fairly constant. Changes are made only when participant evaluations indicate that the faculty member is weak in presenting topics or when the faculty member chooses to step down. In addition to this core faculty, specialists are utilized from time to time, including the editor of a publishing company which is a financial supporter of the seminars, and NYU Law School faculty. Of the 12 core faculty members (as of the time of our visitation) one is female and none is a member of a racial or ethnic minority group. The average age of the faculty is 55, with ages ranging from 36 to 71. All of the faculty members are or have been members of the judiciary. The average tenure of the faculty in the Appellate Judges Seminars is five years. Each faculty member is paid $110 a day and must be available for each day and each session of each seminar.

While each faculty member is responsible for preparing his/her own course material, it must be submitted to the program director approximately three months in advance of the seminars for the director's review and approval.

Permanent Staff: Although the staff of the Institute of Judicial Administration totals nine full-time personnel, only two are listed as core staff for the Appellate Judges Seminars. They are the director and the office manager. The director is said to spend approximately 25 percent of his time on matters pertaining to the Appellate Judges Seminars and is funded by the LEAA grant for 25 percent of his annual IJA salary. The office manager says she expends about 30 percent of her time on seminar program matters and her annual salary is supported by the LEAA grant to the extent of 30 percent. In addition, a secretary spends about ten percent of her time annually on seminar administrative support, and the fiscal officer spends about 20 percent of his time annually on seminar-related activities. Neither of these two staff members is supported by the LEAA grant.

Effectiveness

Marketing of Programs and Selection of Trainees: The Appellate Judges Seminar Program has, over the years, enjoyed such recognition and acclaim as to minimize the need for extensive marketing. There is an annual mailing to each appellate court judge in the nation announcing the senior or intermediate Appellate Judges Seminar and inviting applications. (Invitations are sent to judges who attended a previous intermediate seminar but who have since moved to a senior appellate court.) In nearly every year except 1978, the number of applicants exceeded the desired limit of 20 participants per seminar, so a screening process takes place in which participants are selected on the basis of certain criteria. These include a preference for new appellate judges, a limit of only one judge from each jurisdiction, and a preference for younger rather than older judges who might be approaching retirement. In addition to the response to the annual mailing, word-of-mouth promotion by judges who participated previously produces applicants. (It is not unusual for an appellate court to register a newly appointed judge immediately, based on the experience and recommendations of his/her new associates.)

Monitoring and Assessment of Programs, Faculty and Trainees: The monitoring and assessment of programs and faculty are carried out in two ways—through observations and informal discussions during the course of the seminars, and through more formal assessment procedures at the conclusion of seminars. The informal techniques involve the program director and the consulting director, who observe and participate in the seminars, speak with participants as to their impressions and reactions, and meet with faculty members to discuss seminar progress. At the conclusion of the seminars, participants are requested to fill out an anonymous questionnaire in which they assess the seminar program and faculty. At the same time, the faculty formally assesses the program content and the participants, the former for the purpose of recommending program changes and the latter to identify potential faculty for the future.

Outside Evaluations: The Appellate Judges Seminar Program was evaluated in 1975 by Stanley J. Heginbotham. Appellate judges who were surveyed commented favorably on the value of the seminars and attributed changes in their professional performance to things they had learned through the program. Most highly valued were reviews of recent U.S. Supreme Court decisions and the opinion writing course. The one negative finding growing out of the evaluation was that curriculum planning tended to be fixed with one individual, the program director. As a result of that observation, the planning process was broadened to include greater input from the faculty.

Other Institution Activities

Publications: Several books have been published as a result of the Appellate Judges Seminar Program. They include:

- R. Leflar, ***Appellate Judicial Opinions***, West, 1974.
- R. Leflar, ***Intermediate Operating Procedures in Appellate Courts***, American Bar Foundation, 1976.
- R. Aldisert, ***The Judicial Process, West***, 1976.

External Relations: As noted previously, the Appellate Judges Seminars have received some financial support since 1973 from a publishing company, which also participates in the seminars. In addition, there exists an "informal understanding" with the American Bar Association concerning the Appellate Judges Seminar Series of the Appellate Judges Conference of the ABA in Chicago. The "understanding" is that the IJA program will focus on new appellate judges whereas the ABA program will provide continuing education to more experienced appellate judges. As for relations with LEAA, some literature of IJA recognizes LEAA as among its many sponsors. However, the brochure devoted exclusively to the 1979 Appellate Judges Seminars contains no reference to LEAA.

Alumni Development: Close and warm relations are maintained with the alumni of the Appellate Judges Seminars. They are not solicited for financial or other support, but the "graduates" have been consistently supportive of the seminar program in recommending it to their associates. The alumni reception that IJA sponsors at the ABA annual meeting is well attended (250 in 1978).

Program and Related Costs

Budget History: The comparison of recent budgets is somewhat difficult for the following reasons:

- *The 1976 program year (LEAA grant) extended from March 1, 1976 to February 28, 1977, whereas the budget for 1977 covered an additional month (March 1, 1977 to March 31, 1977).*
- *At the time of our visit, the IJA fiscal officer could not provide us with a budget status report for the current fiscal year.*

Despite those factors, the following comparisons can be made:

Revenue	1976 (3/1/76–2/28/77)	1977 (3/1/77–3/31/78)	1978 Budget Only (4/1/78–3/31/79)
Tuition & Fees	–	–	–
LEAA Grant	$45,000	$61,249*	$39,950
Publishing Co. Annual Contrib.	25,000	25,000	25,000
From Publishing Co. Reserve	10,297	7,678	25,742**
Total	$80,297	$93,927	$90,692

**An additional $2,050 in unexpended funds was returned to LEAA.*

***From Publishing Co. Reserves and/or from other reserves depending on degree of need to meet travel and subsistence costs of participants.*

As the above figures indicate, total program costs over the past three years have remained fairly constant. Despite fluctuations in LEAA funding levels, the annual contribution from a publishing company and the availability of contribution reserves have made it possible for IJA to maintain total program spending at the levels indicated.

One of the major expense items is the travel and housing costs for participants. This amounted to $26,565 in 1976 and $30,917 in 1977. That cost was estimated at $27,192 for 1978 but final figures were not available at the time of our visitation. Seminar participants are urged to seek travel and subsistence funds from their State Planning Agencies and/or from their courts training programs. However, if those sources cannot cover travel and maintenance costs, seminar officials believe they must provide the funds in order to encourage appellate judges to attend the residential training programs. LEAA funds are not used for these purposes. The travel and living expenses are provided from IJA's matching money. Fortunately, the annual contribution from the publishing company, the contribution reserves, (and some $400,000 which IJA has in time certificates), make such matching possible.

Cost Analysis: There are a number of ways in which instructional costs may be displayed, and each is subject to challenge because of the difficulty in assigning dollar costs to the many facets of an instructional program of this nature. However, in order to provide some measure of the costs involved, we offer two methods of calculation.

a. In 1977, a total of 43 appellate judges attended the two seminars. They attended a total of about 50 hours of classroom instruction during the two week periods of the seminars. Since the total cost of the seminar programs for 1977 amounted to $93,928 (including travel and living expenses), it might be stated that the cost of instruction was $43.50 per participant per instructional hour.

b. Also in 1977, the total of 43 appellate judges attended ten days of instructional seminars. Since the total cost of the seminars was $93,928, it can be stated that the cost of instruction was $218 per judge per instructional day.

Management

The Institute of Judicial Administration and the Appellate Judges Seminar Program appear to be managed relatively well, though informally in some respects.

There is no organization chart in existence for IJA. There are several documents available which spell out the missions, goals and objectives of IJA and, to some extent, the Appellate Judges Seminars.

Fiscal procedures are governed by NYU (including accounting, purchasing, and auditing procedures). Sound policies exist in most financial areas although the current status reports of LEAA grant spending were not available at the time of our visit.

IJA adheres to NYU's personnel policies and procedures, at least for the nonprofessional staff. Position descriptions on file were three years old, and there are only informal procedures utilized for grievances and disciplinary actions. However, these are relatively minor deficiencies. The overall impression is that IJA's small staff operates efficiently and that the noninstructional aspects of the seminars are also well planned and managed.

Challenges and Future Directions

While funding is mentioned as a concern, past and present directors of IJA differ as to the seriousness of the problems caused by recent LEAA funding reductions. Overall, funding does not emerge as a critical problem for the future, assuming no additional reductions of size by LEAA.

Of greater concern to the new director is the need to maintain and improve the quality of the subject matter presented at the seminars.

As for future plans, the new IJA director wants to make certain that the seminar faculty is dynamic and exciting.

Training Objectives/ Perceived Effectiveness

The objectives of the IJA Appellate Judges Seminars and the instructors who present them are in concert, and the instructors perceive that they are very successful in achieving their higher priorities. (see *Table 8A*.)

Seminar participants agree that the seminars are relevant to them and their courts, giving the seminars the highest rating possible.

Table 9A offers further evidence of the effectiveness of the seminars, as the participants and the instructors judge them. Only in the area of making organizational changes as a result of training, where 50 percent have attempted, is the effectiveness of the seminars less impressive though still noteworthy.

As for the questions concerning a return to the seminars in the future, it should be noted that these programs are intended primarily for *new* intermediate and senior appellate judges. It would be unlikely for a judge to return to the seminars unless he/she had attended an intermediate seminar and had moved to the senior court or court of last resort.

Table 10A displays the responses of both participants and instructors to questions concerning the soundness of the training design. The least favorable responses come from both participants and instructors on questions 6 and 7, concerning the degree to which training provides opportunities to practice what is taught, and the degree to which participants are kept informed of their progress during the seminars.

Training Setting, Techniques and Faculty

The Appellate Judges Seminars receive very high ratings from participants and instructors in matters concerning the training setting (*Table 11A*), and from instructors regarding the management of the seminars (*Table 12A).*

Participants and instructors agree that lectures and group discussions constitute the primary teaching methods utilized (*Table 13A*), and the training participants say they find these two techniques extremely useful, along with the informal conversations that take place outside the classroom setting.

The participants give extremely high ratings to the instructors in the categories of substantive knowledge, practical experience and teaching ability, but they almost never call upon instructors after the seminars conclude for follow-up or technical advice (*Table 14A*). Interestingly, instructors say they are called upon more often by former participants. The seven instructors who were surveyed have participated in the seminars a substantial number of times (*Table 15A*).

TABLE 8A
INSTRUCTORS' PERCEPTIONS OF LEARNING OBJECTIVES (IJA)

Objective	Perceived Achievement Average Priority Rating (1-High; 7-Low)	Category of Median Response
1. Enhance participants' understanding of their roles 2. Improve participants' proficiency of their roles.	1.83	Very well
3. Update and increase participants' substantive knowledge.	2.17	Very well
4. Enable participants to introduce new techniques and procedures in their systems.	2.33	Fairly well
5. Increase communication and consultation among professional peers/colleagues.	3.83	Fairly well/ Very
6. Enable participants to influence/promote change among other courts personnel.	4.17	Fairly well

TABLE 9A

MULTIPLIER EFFECTS (IJA)

Aspect	Type of Respondent	Number/% Responding		Frequency of Response				
		N	%	YES		NO		No response
				N	%	N	%	N
Wish to return to institute.	Participant	14	100	10	71	4	29	–
Perception of participants' desire to return to institute.	Instructor	6	86	4	67	2	33	1
Perception of participants' actual return to institute.	Instructor	3	43	–	–	3	100	4
Share institute materials.	Participant	14	100	8	57	6	43	–
Perception of participants' use of institute materials.	Instructor	6	86	6	100	–	–	1
Use institute materials.	Instructor	7	100	7	100	–	–	–
Attempt to make institute-spurred personal changes.	Participant	14	100	11	79	3	21	–
Attempt to make institute-spurred organizational changes.	Participant	14	100	7	50	7	50	–
Recommend institute to others.	Participant	14	100	14	100	–	–	–

TABLE 10A

SOUNDNESS OF TRAINING DESIGN (IJA)

Training Design Component	Type of Respondent	Number Responding	Category of Median Response	Frequency of Response					
				Not at all	Somewhat	Fairly well	Very well	Thoroughly	No Response
1. Degree based on profession's needs.	Participant	13 (93%)	Very well	–	–	1 (7%)	6 (46%)	6 (46%)	1
	Instructor	5 (71%)	Very well	–	–	1 (20%)	3 (60%)	1 (20%)	2
2. Degree individual's needs are considered.	Participant	14 (100%)	Fairly well	2 (14%)	1 (7%)	5 (36%)	5 (36%)	1 (7%)	–
	Instructor	5 (71%)	Very well	–	–	1 (20%)	3 (60%)	1 (20%)	2
3. Degree expected outcomes presented at outset of course.	Participant	14 (100%)	Fairly well	2 (14%)	1 (7%)	5 (36%)	2 (14%)	4 (29%)	–
	Instructor	4 (57%)	Fairly well	1 (25%)	–	2 (50%)	1 (25%)	–	3
4. Degree learning objectives clear and succinct.	Participant	13 (93%)	Very well	1 (7%)	1 (7%)	3 (23%)	6 (46%)	2 (15%)	1
	Instructor	5 (71%)	Fairly well	–	–	3 (60%)	2 (40%)	–	2
5. Degree objectives are demonstrable.	Participant	14 (100%)	Somewhat	4 (29%)	5 (36%)	–	3 (21%)	2 (14%)	–
	Instructor	5 (71%)	Very well	–	–	1 (20%)	4 (80%)	–	2
6. Degree training provides opportunities to practice what is taught.	Participant	13 (93%)	Somewhat	5 (38%)	2 (15%)	2 (15%)	2 (15%)	2 (15%)	1
	Instructor	5 (71%)	Somewhat	1 (20%)	4 (80%)	–	–	–	2

TABLE 10A (Continued)

Training Design Component	Type of Respondent	Number Responding	Category of Median Response	Frequency of Response					
				Not at all	Somewhat	Fairly well	Very well	Thoroughly	No Response
7. Degree participant informed of progress.	Participant	12 (86%)	Not at all	11 (92%)	–	–	–	1 (8%)	2
	Instructor	2 (29%)	Not at all/ Somewhat	1 (50%)	1 (50%)	–	–	–	5
8. Degree objectives, materials, and activities cohesive.	Participant	14 (100%)	Very well	–	–	2 (14%)	6 (43%)	6 (43%)	–
	Instructor	5 (71%)	Very well	1 (20%)	–	1 (20%)	3 (60%)	–	2
9. Degree feedback/ evaluation useful.	Participant	13 (93%)	Fairly well	4 (31%)	1 (7%)	2 (15%)	1 (7%)	5 (39%)	1
	Instructor	4 (57%)	Somewhat/ Fairly well	1 (25%)	1 (25%)	1 (25%)	1 (25%)	–	3
10. Degree of opportunity to provide input to faculty.	Participant	13 (93%)	Thoroughly	1 (7%)	2 (15%)	–	2 (15%)	8 (61%)	1
11. Degree training upgraded and modified in relation to current state of the art.	Instructor	5 (71%)	Very well	–	–	1 (20%)	3 (60%)	1 (20%)	2

TABLE 11A

ADEQUACY OF THE TRAINING SETTING (IJA)

			Frequency of Response		
Aspect	Type Of Respondent	Number/% Responding	Yes	No	No Response
1. Similarity of participants' roles/experience	Participant	14 (100%)	13 (93%)	1 (7%)	–
	Instructor	7 (100%)	7 (100%)	–	–
2. Sufficiently small classes	Participant	14 (100%	13 (93%)	1 (7%)	–
	Instructor	7 (100%)	7 (100%)	–	–
3. Sufficiently long courses	Participant	14 (100%)	13 (93%)	1 (7%)	–
	Instructor	7 (100%)	7 (100%)	–	–
4. Match between participant needs and instructor expertise	Participant	14 (100%)	13 (93%)	1 (7%)	–
	Instructor	7 (100%)	7 (100%)	–	–
5. Availability of instructors outside of class	Participant	14 (100%)	13 (93%)	1 (7%)	–
	Instructor	7 (100%)	7 (100%)	–	–
6. Sufficient number of contact hours between participants and instructors	Participant	14 (100%)	13 (93%)	1 (7%)	–
	Instructor	7 (100%)	7 (100%)	–	–
7. Reinforcement of behavior/skills	Instructor	5 (71%)	4 (80%)	1 (20%)	2
8. Adequate support services	Participant	14 (100%)	14 (100%)	–	–
	Instructor	6 (86%)	5 (83%)	1 (17%)	1
9. Adequate physical accommodations	Participant	13 (93%)	13 (100%)	–	1
	Instructor	7 (100%)	7 (100%)	–	–

TABLE 12A

MANAGEMENT OF TRAINING EVENTS (IJA)

Aspect	CTP Instructor Response					
	Number Responding		Yes		No	
	N	%	N	%	N	%
1. Clarity of lines of authority/responsibility	7	100%	7	100%	–	
2. Adequacy of administrative procedures	6	86%	6	100%	–	
3. Instructors appraised of performance/expectations	7	100%	7	100%	–	
4. Instructors given orientation/staff training	7	100%	6	86%	1	14%
5. Program modification based on assessment	7	100%	6	86%	1	14%

TABLE 13A

FREQUENCY OF METHODS USED (IJA)

Method	Median Response	
	CTP Participant	CTP Instructor
1. Lectures	Most of the time	Often
2. Discussion groups	Often	Often
3. Panel discussions	Not at all	Often
4. Case studies	N/A	Often
5. Role playing, simulation	Not at all	Not at all
6. Videotaping	N/A	Not at all
7. Moving pictures	N/A	Not at all
8. On-the-job training	N/A	Not at all
9. Computer Assisted Instruction	N/A	Not at all

TABLE 14A

PERCEIVED FACULTY COMPETENCE (IJA)

Aspect	Number Responding	Category of Median Response	Frequency of Response: Totally Unknowledgeable	Minimally Knowledgeable	Adequate	Quite Knowledgeable	Expert	No Response
Degree of their substantive knowledge.	14 (100%)	Expert	–	–	–	4 (29%)	10 (71%)	–
Extensiveness of their practical experience.	14 (100%)	Expert	–	–	–	2 (14%)	12 (86%)	–
Teaching ability.	12 (86%)	Quite Knowledgeable	–	–	2 (17%)	7 (58%)	3 (25%)	2
			Not at all	Once or twice	Periodically	Often	Continually	No Response
Number times called upon staff/instructors since training for followup technical assistance.	13 (93%)	Not at all	11 (85%)	2 (15%)	–	–	–	1

TABLE 15A

FACULTY FOLLOWUP/CONT. RELATIONSHIP (IJA)

Number of Times	Called upon by CTP Participants		Invited back to Institute	
	N	%	N	%
None	2	33	0	0
1 – 5	1	17	3	43
6 – 10	2	33	3	43
11 – 25	1	17	1	14
Greater than 25	0	0	0	0

INTEREST IN TEACHING AGAIN

YES (%)	NO (%)
100	0

2. APPELLATE JUDGES' CONFERENCE
AMERICAN BAR ASSOCIATION

The subject of this section is the Appellate Judges' Conference (AJC) of the American Bar Association (ABA) and, specifically, the Project for Continuing Appellate Education. The purpose for documenting these characteristics is to note features of the training process that potentially influence outcomes, to consider the project's responsiveness to its training goals and the perceived needs of its constituency, and to consider the nature and quality of the management and administration which support the program.

The description of the project, and its sponsor, the Appellate Judges' Conference, is based primarily on information obtained on a visit to the conference in Chicago on December 13 and 14, 1978. The data collection was conducted by a three-person team and included interviews with the Director, Division of Judicial Service Activities; the Program Director; the Staff Director for Grant Fund Administration, Fund for Public Education of the ABA; the Assistant Program Director; and the Administrative Assistant.

During the visit, the research team was introduced to the programs and facilities of the conference. The team was also oriented to the resources available to the conference as a result of its affiliation with the ABA, as well as its responsibilities resulting from this relationship. All documents and records from the conference were made available to the research team, including records of participant evaluations, curriculum materials, and policy and procedures manuals.

History of the Project

The Project for Continuing Appellate Education is beginning its eleventh year of providing continuing legal education for state and Federal appellate judges. It originated from the strong desire of a group of appellate judges to improve the quality of their system.

> In 1968 a group of appellate judges gathered together and discussed how to go about improving the quality of the nation's appellate system. A number of suggestions were entertained. The one that received a consensus concerned continuing the judge's education after elevation to the appellate bench. It was concluded that the need to keep up with the rapidly changing law that each was required to administer compelled a decision to undertake a seminar program on a national basis offering courses designed for the appellate judge. With a small grant from the Law Enforcement Assistance Administration, a modest program was begun. (Final Grant Report, Appellate Judges' Conference, December 1978.)

The Appellate Judges' Conference of the American Bar Association has sponsored this project since 1971; it has been supported by discretionary funds since 1973 under the Judicial Training Package grants. Until 1976, the project was coordinated on behalf of the conference by the Institute of Continuing Legal Education at Louisiana State University. From 1976 to the present, the project has been sponsored directly by the Appellate Judges' Conference of the American Bar Association in Chicago.

The Appellate Judges' Conference is a membership organization of the American Bar Association. As such, it is subject to the policies and procedures of the ABA, its board of governors, and house of delegates. Organizationally, the AJC is overseen by the Judicial Administration Division of the ABA.

ADMINISTRATION AND MANAGEMENT

The conference is further governed by its bylaws, which clearly outline the administrative body, its composition, role, and responsibilities. Additionally, the bylaws specify the qualifications for membership in the conference, members of courts of last resort or intermediate appellate courts and former appellate judges. Approximately 700, or 70 percent, of the appellate judges in the United States are currently members of the conference.

There are four officers of the conference: chairman, chairman-elect, vice chairman, and secretary. These officers are annually elected by the membership.

The executive committee consists of the officers, a delegate to the ABA's house of delegates, the immediate past chairman, and seven members of the conference who are elected by the other members. The executive committee is the policy-setting body of the conference and directly oversees the affairs of the conference and its projects.

The day-to-day management and program development of the conference are the responsibility of the program director and his staff. While overall management is governed primarily by the policies and procedures of the ABA and those set by the executive committee, the development of the Project for Continuing Appellate Education (scheduling, curriculum, topics, materials development, etc.) is managed directly by the program director. Additionally, the Project on Continuing Appellate Education utilizes the guidance of the conference's Committee on Continuing Appellate Education and an academic consultant to guide format, development of seminar topics, selection of faculty and lecturers, and content of the educational materials.

SOURCES OF FUNDING

The Project for Continuing Appellate Education currently receives funding from four sources, LEAA and three private foundations.

In the 1979 program year, for the first time, project income will also be generated by tuition charged to the participants.

RELATIONSHIP WITH RELATED PROGRAMS

The Appellate Judges' Conference and the Institute of Judicial Administration, based at New York University, work together in providing education to the appellate judiciary. The relationship, as stated by the conference, is complementary rather than one of competition. The Institute of Judicial Administration program is directed at new appellate judges, while the conference program provides in-depth and updated information on a continuing basis. This relationship is less formal today than it once was, when both programs were part of the six-institution Judicial Training Package; however, it is seen as no less important in guiding the direction of the AJC's Project on Continuing Appellate Education.

The conference also provides assistance to in-state training efforts on an as-needed basis. It should be noted in this regard that few states provide appellate education due to the small number of appellate judges in each state.

Goals and Objectives

The Project on Continuing Appellate Education has sought to improve the quality of the nation's appellate justice system by providing employees of state and Federal appellate courts with information that will enable them to improve the quality of service offered to the public. Specific objectives are:

- *To expose the maximum number of appellate judges to the educational activities of the project. The goal is to have between 20 and 30 percent of the active members of the nation's appellate courts attend during the academic year.*
- *To conduct an annual seminar that exposes appellate court clerks to new and improved methods of administering the appellate courts.*
- *To expose appellate central staff attorneys to an educational program similar to that for the judge, but designed specifically for the central staff attorney.*
- *To develop text materials to support the seminar that would be used both at and after the seminar.*
- *To plan and implement special educational programs for the appellate system.*

- *To obtain a candid evaluation of the educational program to see whether it is effectively and efficiently pursued.*

These objectives are implemented by the project with a central theme in mind: to expose as many of the appellate judiciary as possible to substantive and procedural aspects of the court, including introducing the judiciary to technical issues and philosophies which are essential to the decision-making process. The project staff sees its role as one of becoming a center of continuing appellate education and filling the continuing needs of the appellate courts, thereby helping to solve the administrative problems of the courts.

Programs

TRENDS

The Project on Continuing Appellate Education has remained essentially unchanged in objective and focus since its inception. Over the years, some changes have occurred in the number and types of programs offered. In order to accommodate the growing number of applicants, the number of appellate judges' seminars has increased from five to six per year. Additionally, the training provided to appellate law clerks has changed. This program, begun in 1977 as part of the Appellate Judges' Seminars, expanded considerably in 1978 with the creation of a model program for appellate law clerks.

Another change is the development of a seminar for appellate court clerks in 1976. Also, a program for central staff counsel was conceived and is currently conducted in conjunction with the annual meeting of the American Bar Association. The following table displays the project's focus and changes for the past five years.

PROJECT TRENDS

Program Characteristics*	1974	1975	1976	1977	1978
Goals	To educate as many appellate judges, appellate law clerks, appellate central staff counsel, and appellate clerks as possible at the finest educational program that is practical.				
Number of Programs Offered	6	4	8	8	8
Length of Program	4 days	4 days	4 days	4 days	4 days
Average Number of Participants (each program)	23	26	33	36	37
Target Audience	Appellate Judges, Law Clerks	Appellate Judges, Law Clerks	Appellate Judges, Law Clerks Court Clerks Central Staff	Appellate Judges, Law Clerks Court Clerks Central Staff	Appellate Judges, Law Clerks Court Clerks Central Staff

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*Responses reflect predominant categories or issues.

CURRENT ACTIVITIES

Currently, the Project on Continuing Appellate Education conducts four educational programs: appellate judges' seminar series, appellate law clerk program, seminar for appellate court clerks, and a meeting of appellate central staff attorneys. The table entitled, "Programs of the Project on Continuing Appellate Education," lists activities occurring from January 1977 to September 1978.

Appellate Judges' Seminar Series

This program forms the cornerstone of the Project on Continuing Appellate Education. The program is designed to keep appellate judges current on substantive and procedural matters relative to appellate courts.

The curriculum is planned on the premise that new developments in appellate justice occur constantly and that the seminars will meet judges' needs for new knowledge on a continuing basis. The seminars offer an equal amount of exposure to new techniques, procedures, and issues of law. These include impact decisions by the U.S. Supreme Court, recent developments in the Law of Products Liability, recent developments in Collateral Attack, and the use of techniques to avoid repetitive litigation. Topics of substantive law vary from seminar to seminar and year to year, depending on the most pressing issues at the time. Topics of particular importance are often repeated at several seminars in a single academic year in order to make the topic available to as many appellate judges and justices as possible.

Seminar topics which address new techniques and procedures also vary. Again, as recent developments are known and tested, they are incorporated into the curricula.

Text materials are developed to support the presentation and to be used following the seminar. These consist of articles and papers by leaders in the field, written appellate opinions, names and addresses of seminar participants, and other reference material pertinent to the seminar topics.

Appellate Law Clerk Program

The Appellate Law Clerk Program is designed to train newly appointed law clerks to better assist appellate judges. A model program has been created to orient the law clerks to general issues and procedures. At the same time, the model is designed so that it is readily adaptable to meet the needs of individual jurisdictions. In this way, the program can be provided to law clerks in their home jurisdictions for less than the cost of bringing the clerks to a national program, according to the project.

As part of the curriculum, the AJC has developed a manual which may be modified to reflect local rules, laws, and customs.

Appellate Court Clerks Seminar

The program for appellate court clerks consists of a seminar conducted during the annual meeting of the National Conference of Appellate Court Clerks (NCACC). The planning of the seminar is done by the NCACC with assistance from the Committee on Continuing Appellate Education.

PROGRAMS OF THE PROJECT ON CONTINUING APPELLATE EDUCATION

ACTIVITY	DATES	FORMAT	TOPICS	PARTICI-PANTS	TARGET GROUP
1977 Appellate Judges' Seminar Series	Miami January 17-20	Seminar	Impact Decisions/Recent Developments /Judicial Review of Decisions	33	State Court Appellate Judges
	New Orleans March 27-31	Seminar	Impact Decisions/Recent Developments/Judicial Relations with the Bar/ LEAA and the Courts	23	State Court Appellate Judges
	Tucson April 17-21	Seminar	Impact Decisions/Recent Developments/Standards for Appellate Courts/ Judicial Philosophy	18	State Court Appellate Judges
	Williamsburg May 22-26	Seminar	Appellate Administration Techniques/ Recent Developments/Impact Decisions	32	State Court Appellate Judges
	Las Vegas September 25-29	Seminar	Recent Developments/Appellate Innovations/Judicial Discipline/Impact Decisions	23	State Court Appellate Judges
	San Francisco October 23-27	Seminar	Impact Decisions/Recent Developments/Methods for Appellate Efficiency	60	State Court Appellate Judges
1978 Appellate Judges' Seminar Series	Tucson March 19-23	Seminar	Impact Decisions/Medico-Legal Problems/Techniques in Common Law Cases	16	State Court Appellate Judges
	San Diego April 16-20	Seminar	Impact Decisions/Economics and the Law/Appellate Efficiency/Powers of Courts	25	State Court Appellate Judges
	Williamsburg May 28-June 1	Seminar	Pre-Argument Settlement Conference/ Application of New Rules/Current Developments	29	State Court Appellate Judges
	Boston September 24-28	Seminar	Opinion Writing/Judicial Philosophy/ Impact Decisions/Recent Developments	42	State Court Appellate Judges
	San Francisco December 22-26	Seminar	Impact Decisions/Recent Developments/Docket Procedures	57	State Court Appellate Judges

PROGRAMS OF THE PROJECT ON CONTINUING APPELLATE EDUCATION – Continued

ACTIVITY	DATES	FORMAT	TOPICS	PARTICIPANTS	TARGET GROUP
1978 Appellate Law Clerks Program	Summer/Fall				
	Florida	Seminar	Functions of Appellate Courts/Role of Law Clerks/Procedures/Litigation Process	Not Provided	State and Federal Appellate Law Clerks
	Wisconsin	Seminar	Functions of Appellate Courts/Role of Law Clerks/Procedures/Litigation Process	Not Provided	State and Federal Appellate Law Clerks
	South Dakota	Seminar	Functions of Appellate Courts/Role of Law Clerks/Procedures/Litigation Process	Not Provided	State and Federal Appellate Law Clerks
	Arizona	Seminar	Functions of Appellate Courts/Role of Law Clerks/Procedures/Litigation Process	Not Provided	State and Federal Appellate Law Clerks
	Rhode Island	Seminar	Functions of Appellate Courts/Role of Law Clerks/Procedures/Litigation Process	Not Provided	State and Federal Appellate Law Clerks
	New Hampshire	Seminar	Functions of Appellate Courts/Role of Law Clerks/Procedures/Litigation Process	Not Provided	State and Federal Appellate Law Clerks
1977 Appellate Court Clerks Seminar	Coeur d'Alene July 28-August 1	Seminar	Educating the Public/Automation of Records/Standards for Courts/Security/Personnel Trends	64	State and Federal Appellate Court Clerks
	Mackinac Island August 13-17	Seminar	Records Management/Expediting Workload/Innovations/Review of Williamsburg Seminar	68	State and Federal Appellate Court Clerks
1977 Appellate Central Staff Attorney Meeting	Chicago July	Meeting	Appellate Procedures/Role of Staff Counsel/Effective Writing	42	State and Federal Appellate Central Staff
	New York June	Meeting	Analyzing Appellate Procedures/Role of Staff Counsel/Effective Writing	22	State and Federal Appellate Central Staff

The program is tailored to the ongoing challenges and problems facing appellate court clerks. Essentially, it offers exposure to and instruction in new methods of administering the appellate courts, introduction to new equipment, and the opportunity to interact with peers in the profession.

Appellate Central Staff Attorneys

The Appellate Judges' Seminar Series has, in the past, espoused the concept that a central legal staff may assist the appellate courts. Consequently, use of this new administrative role has grown. In response to this phenomenon, the Project on Continuing Appellate Education added a program in 1976 designed specifically for appellate central staff counsel. Currently, a meeting is held, in conjunction with the annual meeting of the American Bar Association, to identify problems in their systems and to shape their role to meet the needs of their systems.

As with the project's other programs, the topics for the meeting are updated and changed to meet continuing needs.

NEEDS ANALYSIS

The project utilizes a relatively informal, continuing process for assessing the needs of its target audience. Members of the educational committee are a major source of information regarding needs by virtue of their positions in the nation's appellate courts. The program director says he remains in contact with members of appellate courts, maintains liaison with many state judicial education programs, conducts a review of relevant literature such as the *National Manpower Survey of the Criminal Justice System*, and utilizes other necessary means of determining needs. The nation's appellate judges provide information regarding their educational interests and needs at the seminars. Participant evaluations and informal discussions provide insights into the needs of the appellate courts.

CURRICULUM DEVELOPMENT

The curriculum development process is tied to the mechanisms for assessing needs. The Committee on Continuing Appellate Education meets with its academic consultant and the program director and develops a list of topics for the upcoming seminars. The group attempts to strike a balance between areas of substantive law that appear to be undergoing change, administrative techniques that might equip the courts to handle expanding workloads, and topics covered in prior seminars that received special interest.

Based on the topic list created at the meeting, the program director, the academic consultant, and the chairman of the committee develop the actual curriculum and faculty for each seminar. During this process informal discussion takes place with past and prospective seminar participants to assess interest in the topics. In this way, the curriculum is more likely to focus on the immediate needs of the appellate courts. Furthermore, the project has an abiding concern to make the participants feel that it is "their" program. The project feels that, together with the various means of staying in touch with the participants' needs, the curriculum development process assures this identity with the program.

Two months prior to each seminar, each faculty member submits an outline of the topic to be presented. Once the outline has been approved by the program director and educational committee, the project staff compiles materials provided by the faculty, as well as other pertinent documents, into the seminar text.

A major variation of this process is found in the development of the appellate court clerks seminars. The National Conference of Appellate Court Clerks plans the program with assistance, as requested, by the Committee on Continuing Appellate Education. However, the committee reserves the right of final approval of the program.

One other exception to this process occurs when the Appellate Judges' Conference is invited to participate in educational programs of states or other national training programs. In these instances, the requesting agency determines the needs and identifies the desired objectives and curriculum.

The basic format used by the project is also determined by the Committee. The instructional method is a four-day, lecture/discussion based on the following rationale:

- *The seminars are "updating" an already vast body of knowledge, not servicing inexperienced individuals.*
- *The seminars are designed to present ideas and generate peer exchange, thereby making the information directly relevant.*
- *The participants have little time to spend away from their courts; therefore, the program must be concise and to the point if it is to attract participants.*

FACULTY SELECTION

The principal criterion employed in selecting faculty is in-depth knowledge of a topic area. The project attempts to find the best informed individuals. Other critera used in the selection include:

- *The ability to relate knowledge to the constituency in an interesting way;*
- *Willingness to work with the project in designing the program; and*
- *Availability.*

Faculty members are recruited, as needed, by the educational committee, the program director, and the academic consultant. This group utilizes all available sources to identify potential faculty: former participants, other faculty, and national organizations and institutions.

A profile of faculty members derived from institute records is:

Average Age : 52 years

Current Position : Appellate Judge

Years of Legal Experience : 26 years

Years as Legal Educator : 12 years

Typical Degree : LLM, LLD, JD

Areas of Expertise : Constitutional Law, Criminal Law and Procedure, Law and Medicine, Contracts, Products Liability, Judical Administration, Insurance, Civil Law, Ininternational Legal Methods, Appellate Law and Procedures, Evidence

Average Tenure with Project : 3 years

PERMANENT STAFF

The permanent staff positions devoted to the programs of the Project on Continuing Appellate Education, as of the time of our visitation, are listed below.

- *The Program Director is responsible for overall program development and administration of the project.*
- *The Assistant Program Director assists in all phases of program development and daily administration of the project.*
- *The Administrative Assistant is responsible for all administrative support functions of the project including registration, recordkeeping, arrangements for seminar facilities, and the like.*

In addition to the full-time project staff, support is provided by an academic consultant and a law clerk, described below.

- *The Academic Consultant is an esteemed professor of law with approximately 46 years' experience as an educator. His expertise reaches into most specialties in legal practice, such as civil law and procedures, juvenile justice, and appellate law.*
- *The Law Clerk is utilized primarily to perform legal research in support of text materials for the programs.*

The following table presents the proportion of time devoted to the various administrative and program development tasks of the project.

STAFF TIME ALLOCATION
(Percent)

	Activity Area						
Staff Member	**Administrative**	**Curriculum Development**	**Marketing**	**Materials Development**	**Conf. Mgmt./ Participation**	**Other**	**Total**
Program Director	6%	14%	½%	4½%	10%	65%	100%
Assistant Program Director	35%	25%	0	25%	12%	3%	100%
Administrative Assistant	60%	0	0	30%	0	10%	100%
Law Clerk	0	0	0	100%	0	0	100%
Academic Consultant	0	100%	0	0	0	0	100%

Effectiveness

This section deals primarily with the project's perspective of its success and assessment of its goals and objectives. Additionally, previous outside evaluations of the project are discussed.

MARKETING OF PROGRAMS

Informal marketing of the programs occurs through word of mouth of past participants. The philosophy underlying this approach is that a quality program will sell itself. The project feels its reputation is positive; therefore, participants promote the program and encourage participation by colleagues.

Formal marketing conducted by the project is through an annual seminar announcement. At the beginning of each academic year a brochure announcing the schedule for the appellate judges' seminar series is sent to every state and Federal appellate judge. This brochure contains a statement regarding LEAA and other sponsorship.

Public relations for the project, such as press inquiries, is solely the responsibility of the communications department of the ABA.

SELECTION OF PARTICIPANTS

Participants are selected on a first come, first served basis. However, when it is necessary to limit the number of applicants, such as with the judges' seminars, new applicants receive priority. The judges' seminars attempt to limit participation to 40 judges at each seminar.

ASSESSMENT OF THE PROGRAMS

The formal assessment process utilized by the project involves the use of an extensive program evaluation form distributed to all seminar participants (the process applies only to the appellate judges' seminars).

The evaluation focuses primarily on the process of training; the environment, delivery, faculty, format, topics covered, and the like. Responses are strictly voluntary. There has been a 51 percent response rate for the 1977-78 seminars.

These evaluation forms are used for two purposes: to record recommendations and to solicit the participant's input and suggestions for improving the program. Following each seminar, the responses are analyzed and a summary is developed for use by the program director and educational committee in developing future programs.

The following is a summary of the comments from the in-house program evaluation for the 1977-78 grant period.

General Comments

- *Accommodations were considered good to excellent.*
- *The value of hospitality sessions was rated good to excellent.*
- *The quality of presentations, coverage of topics, and quality of materials were considered good.*
- *Suggestions regarding accommodations were concerned with proximity to restaurants and recreation, availability of tourist information for spouses, and better facilities at the hotel.*

- *Suggestions for improving the curriculum were concerned with time allotments for various topics, the balance between substantive and procedural topics, and the addition of new topics.*

- *Approximately 95 percent of the respondents indicated the informal method of presentation was preferred.*

- *The preferred length of time devoted to each topic was three hours.*

- *Various topics and speakers were suggested for future seminars; opinion writing was among the most frequently requested topics.*

- *The four-day seminar span was preferred.*

- *Spring and autumn months were the most desirable seminar periods.*

- *Various locations were suggested as future conference sites. Typically, they were large metropolitan areas, easily accessible by public transportation, where leisure time and sightseeing activities are available for spouses.*

- *Only modest tuition funds will be made available to participants by their courts.*

In addition to the formal evaluation process, the program director and at least two members of the educational committee observe each seminar. Faculty members are also consulted informally regarding program improvements.

The program director indicated that a proposal was made to the educational committee regarding the use of an outside evaluator in assessing the program. The committee rejected the proposal as unnecessary.

PROGRAM BENEFITS

Although no empirical data existed and no formal means for long-term follow-up is utilized, the project has cited several benefits believed to be the direct result of the educational program. This information is received by the project through word of mouth and letters from participants. Additionally, the seminar management records provide some of this information. Some benefits cited by AJC staff are:

- *Over 30 percent of the nation's appellate judges, 60 percent of the nation's appellate court clerks, and a large proportion of its appellate central staff counsel attended at least one seminar in the 1977-78 grant period.*

- *The project feels there is better understanding of changing fields of law.*
- *New ideas regarding administration of appellate courts have been shared and originate from the discussion.*
- *The interpretation of the law has tended to become more uniform.*
- *New concepts of law have developed.*
- *Lateral communication exists, for the first time, among appellate judges.*
- *The use of appellate central staff has grown as a result of the seminars.*

OUTSIDE EVALUATIONS

In 1974 the National Center for State Courts evaluated the Appellate Judges' Seminar Series, then based at Louisiana State University, as part of its assessment of the Judicial Training Package grants. A key finding cited in the evaluation was that the program appeared to be the only group serving appellate judges on a continuing basis. Furthermore, coordination with state programs was not a problem, due to a lack of programs of similar focus.

The recommendations centered on the process used in developing the seminars: depth of the curriculum advisory committee and broadening of the evaluation process. The need for greater representation of minority groups on the faculty and consideration of experts from nonlegal disciplines as faculty members were recommended. Another significant recommendation was that the National Center sponsor long-term studies leading to the creation of a single national training center for appellate judges.

A word of caution is necessary in reviewing this section. This evaluation refers to the program as it existed at LSU. These findings and recommendations are not necessarily applicable to the current program.

Other Institutional Activities

In addition to the seminars, the Appellate Judges' Conference is engaged in a variety of other projects, many of which complement the work of the Project on Continuing Appellate Education.

RESEARCH AND PUBLICATIONS

Legal research is an integral part of the project's activities. The law clerk and program director monitor U.S. Supreme Court decisions, new procedures implemented by state appellate courts and the like, and prepare material for inclusion in the seminar texts and law clerk's manual.

EXTERNAL RELATIONS

The project staff receives numerous invitations from state-administered appellate education programs for newly appointed judges, appellate court clerks, administrators, and law clerks. Typically, participation in state programs is in the form of assistance in curriculum development, provision of text materials, and participation on the faculty by the program director and members of the educational committee. For example, during the grant period the project staff participated in the Kansas, Kentucky, and Wisconsin programs for the staffs of newly instituted intermediate appellate courts.

Advice and cooperation are similarly provided to national education and training programs.The project staff has worked closely with the staff of the Institute for Court Management (ICM) in developing a curriculum for training appellate court administrators. On occasion, the project has co-sponsored special programs with ICM and included ICM staff and faculty in its curriculum.

The program director indicated that communications are maintained with the National Judicial College. Furthermore, appellate judges who lack trial experience are encouraged to attend the college's programs.

Finally, the project staff intends to contribute time to curriculum development for the 1979 World Peace Through Law Conference. Assistance from the project has been requested in the past, by the World Peace Through Law Conference in Manila; however, staff time was not available to respond.

OTHER AJC PROJECTS

The Project on Continuing Appellate Education is one of many projects conducted by the Appellate Judges' Conference. The activities and products of many of the conference's projects are mutually complementary, according to the project staff. The other projects of the conference are:

- *Improvement of Appellate Practice*
- *Technology for the Courts*
- *Multi-Agency Problems in Criminal Justice*
- *Implementation of Standards of Professional Discipline*

- *Writing Standards of Professional Discipline*
- *Improvement of Appellate Congestion*
- *Federal-State Delineation of Jurisdiction*
- *Development of LLM at the University of Virginia*
- *Fund for Judicial Improvement*

ALUMNI

The project staff has not organized a formal group of former seminar participants. The rationale for this is that with the constant turnover of appellate court judges and staffs, there is little to be gained by a formal alumni group. However, the project staff has cited the development of an extensive communication network of appellate judges, clerks, and administrators as a direct result of participation in the seminars.

Program and Related Costs

The information that follows is a reflection of program and related costs, both actual and in-kind, for the May 1, 1976 to February 27, 1977 and March 11, 1977 to September 10, 1978 grant periods.

FISCAL

A summary of the project's recent fiscal history is displayed in the table entitled, "Summary of Revenues and Expenditures."

It is difficult to draw comparisons between these two grant periods due to the varying lengths of the grants. Therefore, analysis of the costs is in terms of percentage of the total funds rather than actual amounts.

Revenue

The proportion of the total project revenue contributed by LEAA discretionary funds for the 1976-77 grant period is 75 percent, compared to 81 percent for the 1977-78 grant period. Project revenue is comprised totally of LEAA grant funds and contributions from private foundations. Additionally, a voluntary fee is collected from participants to cover the cost of other program activities which are not covered by grant funds. In 1979, for the first time, the project will also charge a tuition fee of $100 per participant.

SUMMARY OF REVENUES AND EXPENDITURES

	May 1, 1976 to February 27, 1977	March 11, 1977 to September 10, 1978
Revenues		
- LEAA Funding	$104,490 (74.5%)	$163,121 (81.3%)
- Other Sponsors	35,755 (25.4%)	37,511 (18.6%)
- Tuition	0	0
Total	$140,245	$200,632
Expenditures		
- Salaries and Benefits	$ 30,194 (21.5%)	$ 63,932 (32%)
- Instructional and Instructional Support (fees, travel, meeting facilities, etc.)	79,439 (56.6%)	95,617 (47.8%)
- Operation and Maintenance of Plant (utilities, furniture, etc.)	30,612	40,205 (20.1%)
Total	$140,245	$199,754
Unexpended Balance	0	$ 876 (as of December 14, 1978)

Expenditures

Approximately 57 percent of the 1976-77 funds were used directly for delivery of the seminars. In 1977-78 the proportion was approximately 47 percent. This difference is related to the difference in funds expended for salaries and benefits in the two grant periods, approximately 22 percent in 1976-77 and approximately 32 percent in 1977-78. The percentage of funds used to cover facilities and general operations has remained relatively constant for the two grant periods, 20 percent and 21 percent respectively.

In-Kind Contributions

The value of contributed facilities and faculty time used in delivering educational services, as estimated by the project staff is extensive: a total of $80,880 in 1976-77 and a total of $120,070 in 1977-78.

ACTIVITIES ANALYSIS

The table entitled, "Programs and Related Costs," summarizes the staff effort and costs required for delivery of the various programs.

PROGRAMS AND RELATED COSTS (AJC)

PROGRAM AND YEAR	TOTAL NO. OF PROGRAMS	AVG. NO. STAFF/FACULTY REQUIRED (S/F)	AVG. PREP. HOURS S/F	AVG. FACULTY INSTRUCTIONAL HOURS	TOTAL NO. PARTICIPANTS	AVG. PARTICIPANTS PER PROGRAM	AVG. COST PER PROGRAM	AVG. COST PER PROJECT PARTICIPANT
Appellate Judges' Conference, 1976-77	6	2/10	190/60	25	189	32	$4,700	$146
Appellate Judges' Conference, 1977-78	5	2/10	190/60	25	169	34	$5,600	$164
National Conference of Appellate Court Clerks, 1976-77	2	1/14	Unknown	Unknown	132	66	$4,700	$ 71
Meeting of Appellate Central Staff, 1976-77	1	0/7	Unknown	Unknown	42	Unknown	$2,241 (actual)	$ 53
Meeting of Appellate Central Staff, 1977-78	1	0/8	Unknown	Unknown	22	Unknown	$1,928 (actual)	$ 88
Law Clerks Model Program*	6	0/0	Not Applicable	Not Applicable	Not Applicable	Unknown	$1,627	Not Applicable

* Program delivered by states; only materials cost incurred by project.

Appellate Judges' Seminars

The average staff time and effort required by the project for preparation of each seminar is 190 hours for two full-time staff. An average of ten faculty is used to deliver each seminar. Project staff estimates that the faculty spend a total of 60 hours preparing topic outlines and materials for each seminar. Additionally, the faculty spend an average of 25 hours each in delivery of the curriculum and informal exchange of information.

The average number of participants at each seminar rose slightly in 1977-78, from 32 in 1976-77 to 34 in 1977-78. This may be due to delivery of only five seminars in 1977-78 compared to six in the previous grant period.

The average cost of each seminar rose by $900, or 19 percent in 1977-78, from $4,700 per seminar in 1976-77 to $5,600 in 1977-78. At the same time, the average cost per participant rose from $146 to $164, or 12 percent.

Since faculty do not receive compensation for their services, the portion of seminar costs attributed to faculty is for travel and subsistence. The travel and subsistence of faculty and staff consistently account for the largest portion of seminar costs, ranging from 36 percent to 65 percent for the two grant periods. The average cost for project staff salaries comprises the second largest cost of each seminar, an average of 32 percent in 1976-77 and 28 percent in 1977-78. Finally, the materials portion of each seminar's cost in the two grant periods accounted for 23 percent and 22 percent, respectively.

National Conference of Appellate Court Clerks

Both programs for appellate court clerks took place in the 1976-77 grant period. The average total cost to the project is approximately $4,700, or an average of $71 per participant. Because all planning and preparation was done by the National Conference, the project's contribution was primarily in the form of travel and subsistence for faculty, approximately 84 percent of the total costs. Other expenditures are attributable to project staff time in connection with the programs.

Meeting of Appellate Central Staff

The project's contribution to these meetings is in the form of materials and covering the cost of faculty and lecturers. An average of eight faculty are required to deliver these seminars to an average of 32 participants. The average cost of faculty travel and subsistence for each seminar is $1,123. The total cost of materials for each seminar varies with the number of participants in attendance; however, the average is $211, or

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$8.60 per participant. The average total cost of each seminar incurred by the project is $2,100.

Law Clerks Model Program

The total effort by project staff involves provision of the package program to state sponsors. Actual costs in providing the package to each state vary with the size of the program. However, the average cost is $1,627 per state.

Management

As stated earlier in this report, the project's overall management is the responsibility of the program director. All policies and procedures are governed jointly by the policies and procedures of the ABA and management procedures set by the program director and educational committee.

Overall administrative policies and procedures are documented in two manuals. The first, ***ABA Policy and Procedures Handbook***, outlines:

- *Association Structure*
- *Sections and Committees*
- *Membership*
- *Finances*
- *Program Development and Funding*
- *Representation of the Association and Policy Formulation*
- *Meetings and Educational Programs*
- *Publications and Communications*
- *Index to ABA Policy on Legislative and National Issues*
- *Calendars*

The second, ***ABA Personnel Policies and Practices Manual***, describes all categories of personnel and policies concerning the terms of employment with the ABA. As a membership organization of the ABA, the project is subject to all of these policies and procedures.

The program development and management policies of the project are outlined in a conference management handbook. This document, developed by the program director and chairman of the educational committee, basically contains timetables for program planning tasks and designates the individual or group responsible for each task. Additionally, a list of tasks to be performed by the project staff prior to every program has been developed by the program director.

The project's budget development is the responsibility of the program director. The budget cycle proceeds as follows:

- *The initial budget is developed by the project director.*
- *The budget is submitted to the Office of Resource Development, Fund for Public Education, for review and correction.*
- *The grant application is completed by the program director and submitted to LEAA.*
- *LEAA responds to the grant application.*
- *The final application, in response to LEAA, is prepared by the program director.*

Financial management of project funds is handled, primarily, by the staff director for Grant Fund Administration of the Office of Resource Development, Fund for Public Education. This department provides the project with a regular accounting of expenditures. The program director initiates all transactions and expenditures; however, these are reviewed and approved by the financial department.

Challenges and Future Directions

The ultimate goal of the Project on Continuing Appellate Education is to build its programs into an Institute for Appellate Justice. In order to accomplish this, several challenges and problems cited by the project, including the following, need to be resolved.

- *Entire groups of appellate judges do not participate in the national seminars. In order for lateral communication to flourish among the judges, participation by as many appellate judges as possible is necessary. This non-participation results in a void of information and perspective.*
- *The project is understaffed. The program director says he spends a disproportionate amount of time on the appellate judges' seminars, thereby neglecting the project's other programs.*
- *Funding for the project is inadequate. The project staff and educational committee devote a great deal of time to fund raising. This condition is*

inhibiting to the program development process.

The project staff sees these problems as minor in comparison to the goals to be achieved. With expansion and improvement of its programs, the project staff hopes to realize its ultimate goal.

Training Objectives/ Perceived Effectiveness

Instructors at the Appellate Judges' Conference of the ABA feel they are very to fairly successful in achieving their priority learning objectives (*Table 8B*). They and the training participants regard the training as relevant to the needs of the courts represented by the trainees.

However, there are indications that the AJC is not as effective as the instructors believe (see *Table 9B*). For example, although one of the institute's stated objectives is to develop text material that will be used after the seminars, as well as during, 50 percent of the participants surveyed say they do not share training materials with others. Other indicators which should be watched in the future include the following:

- *23 percent of the participant respondents do not wish to return to future conferences;*
- *Only 55 percent of the participants say they attempted to make personal/professional changes as a result of things they learned at the conferences; and*
- *Only 45 percent tried to make organizational changes after attending training.*

There is also a gap between the perceptions of the instructors and the participants where the soundess of the training design is concerned. As shown in *Table 10B*, participant ratings are quite low in seven of the 11 areas explored. In six of those seven areas, the instructors think they are doing much better than they are, at least in the opinion of their trainees. The areas of differences are:

- *The degree to which an individual's needs are considered;*
- *The degree to which expected outcomes are presented at the outset of the course;*
- *The degree to which learning objectives are clear and succinct;*
- *The degree to which learning objectives are demonstrable;*

TABLE 8B
INSTRUCTORS' PERCEPTIONS OF LEARNING OBJECTIVES (AJC)

	Perceived Achievement	
Objective	Average Priority Rating (1-High; 7-Low)	Category of Median Response
1. Update and increase participants' substantive knowledge.	1.71	Very well
2. Improve participants' proficiency of their roles.	2.59	Very well
3. Enhance participants' understanding of their roles.	3.06	Fairly Well/ Very well
4. Enable participants to introduce new techniques and procedures in their systems.	3.53	Fairly Well
5. Increase communication and consultation among professional peers/colleagues.	3.59	Very well
6. Enable participants to influence/promote change among other courts personnel.	4.53	Fairly Well

TABLE 9B

MULTIPLIER EFFECTS (AJC)

Aspect	Type of Respondent	Number/% Responding		Frequency of Response				
		N	%	YES		NO		No response
				N	%	N	%	N
Wish to return to institute.	Participant	22	100	17	77	5	23	–
Perception of participants' desire to return to institute.	Instructor	20	95	20	100	–	–	1
Perception of participants' actual return to institute.	Instructor	16	76	16	100	–	–	5
Share institute materials.	Participant	22	100	11	50	11	50	–
Perception of participants' use of institute materials.	Instructor	15	71	15	100	–	–	6
Use institute materials.	Instructor	19	90	15	79	4	21	2
Attempt to make institute-spurred personal changes.	Participant	22	100	12	55	10	45	–
Attempt to make institute-spurred organizational changes.	Participant	22	100	10	45	12	55	–
Recommend institute to others.	Participant	22	100	19	86	3	14	–

TABLE 10B

SOUNDNESS OF TRAINING DESIGN (AJC)

Training Design Component	Type of Respondent	Number Responding	Category of Median Response	Frequency of Response: Not at all	Somewhat	Fairly well	Very well	Thoroughly	No Response
1. Degree based on profession's needs.	Participant	22 (100%)	Very well	–	2 (9%)	3 (13%)	13 (59%)	4 (18%)	–
	Instructor	21 (100%)	Very well	–	–	3 (14%)	11 (52%)	7 (33%)	–
2. Degree individual's needs are considered.	Participant	21 (95%)	Somewhat	9 (43%)	3 (14%)	6 (29%)	3 (14%)	–	1
	Instructor	20 (95%)	Very well	1 (5%)	2 (10%)	3 (15%)	11 (55%)	3 (15%)	1
3. Degree expected outcomes presented at outset of course.	Participant	18 (82%)	Not at all/ Somewhat	9 (50%)	3 (17%)	3 (17%)	2 (11%)	1 (6%)	4
	Instructor	17 (81%)	Fairly well	1 (6%)	6 (35%)	2 (12%)	5 (29%)	3 (18%)	4
4. Degree learning objectives clear and succinct.	Participant	16 (73%)	Somewhat/ Fairly well	6 (38%)	2 (13%)	4 (25%)	3 (19%)	1 (6%)	6
	Instructor	19 (90%)	Very well	–	3 (16%)	4 (21%)	8 (42%)	4 (21%)	2
5. Degree objectives are demonstrable.	Participant	20 (91%)	Somewhat	8 (40%)	4 (20%)	4 (20%)	4 (20%)	–	2
	Instructor	19 (90%)	Very well	1 (5%)	3 (16%)	5 (26%)	9 (47%)	1 (5%)	2
6. Degree training provides opportunities to practice what is taught.	Participant	19 (86%)	Not at all	13 (68%)	1 (5%)	3 (16%)	2 (11%)	–	3
	Instructor	19 (90%)	Fairly well	7 (37%)	2 (11%)	3 (16%)	5 (26%)	2 (11%)	2

TABLE 10B (Continued)

Training Design Component	Type of Respondent	Number Responding	Category of Median Response	Frequency of Response					
				Not at all	Somewhat	Fairly well	Very well	Thoroughly	No Response
7. Degree participant informed of progress.	Participant	14 (64%)	Not at all	12 (86%)	1 (7%)	1 (7%)	—	—	8
	Instructor	16 (76%)	Not at all/ Somewhat	8 (50%)	3 (19%)	2 (13%)	2 (13%)	1 (6%)	5
8. Degree objectives, materials, and activities cohesive.	Participant	22 (100%)	Very well	2 (9%)	—	5 (23%)	13 (59%)	2 (9%)	—
	Instructor	19 (90%)	Very well	—	2 (11%)	4 (21%)	11 (58%)	2 (11%)	2
9. Degree feedback/ evaluation useful.	Participant	18 (82%)	Not at all/ Somewhat	9 (50%)	1 (6%)	4 (22%)	2 (11%)	2 (11%)	4
	Instructor	17 (81%)	Very well	3 (18%)	3 (18%)	—	8 (47%)	3 (18%)	4
10. Degree of opportunity to provide input to faculty.	Participant	22 (100%)	Very well	1 (5%)	4 (18%)	4 (18%)	9 (41%)	4 (18%)	—
11. Degree training upgraded and modified in relation to current state of the art.	Instructor	20 (95%)	Very well	—	1 (5%)	3 (15%)	8 (40%)	8 (40%)	1

- *The extent to which training provides opportunities to practice what was taught;*
- *The extent to which a trainee is informed of his/her progress; and*
- *The opportunity for and usefulness of participant feedback and evaluation.*

Training Setting, Techniques and Faculty

Both participants and instructors rate the Appellate Judges' Conference high on adequacy of the training settings (*Table 11B*). The instructors also give high ratings to management of the training events except for a low 50 percent when asked if program modification is based on feedback and systematic assessment (*Table 12B*).

Participants and instructors agree that lectures and discussion groups represent the most used teaching techniques (*Table 13B*), and the participants say they find the lectures most useful.

Participants rank instructors very high in the areas of substantive knowledge, practical experience, and teaching ability (*Table 14B*). They claim to have little if any professional contact with instructors after the conferences end, but the instructors claim somewhat more contact (*Table 15B*). Instructors also tend to be invited back.

TABLE 11B
ADEQUACY OF THE TRAINING SETTING (AJC)

Aspect	Type Of Respondent	Number/% Responding	Frequency of Response: Yes	Frequency of Response: No	Frequency of Response: No Response
1. Similarity of participants' roles/experience	Participant	22 (100%)	21 (95%)	1 (5%)	–
	Instructor	21 (100%)	21 (100%)	–	–
2. Sufficiently small classes	Participant	22 (100%	18 (82%)	4 (18%)	–
	Instructor	21 (100%)	19 (91%)	2 (9%)	–
3. Sufficiently long courses	Participant	22 (100%)	19 (86%)	3 (14%)	–
	Instructor	20 (95%)	17 (85%)	3 (15%)	1
4. Match between participant needs and instructor expertise	Participant	21 (95%)	19 (90%)	2 (10%)	1
	Instructor	21 (100%)	20 (95%)	1 (5%)	–
5. Availability of instructors outside of class	Participant	22 (100%)	15 (68%)	7 (32%)	–
	Instructor	20 (95%)	17 (85%)	3 (15%)	1
6. Sufficient number of contact hours between participants and instructors	Participant	21 (95%)	18 (86%)	3 (14%)	–
	Instructor	20 (95%)	17 (85%)	3 (15%)	1
7. Reinforcement of behavior/skills	Instructor	17 (81%)	13 (76%)	4 (24%)	4
8. Adequate support services	Participant	21 (95%)	19 (91%)	2 (9%)	1
	Instructor	21 (100%)	20 (95%)	1 (5%)	–
9. Adequate physical accommodations	Participant	22 (100%)	20 (91%)	2 (9%)	–
	Instructor	20 (95%)	20 (100%)	–	1

TABLE 12B
MANAGEMENT OF TRAINING EVENTS (AJC)

Aspect	CTP Instructor Response					
	Number Responding		Yes		No	
	N	%	N	%	N	%
1. Clarity of lines of authority/ responsibility	20	95%	20	100%	–	
2. Adequacy of administrative procedures	19	90%	19	100%	–	
3. Instructors appraised of performance/expectations	19	90%	17	90%	2	11%
4. Instructors given orientation/staff training	20	95%	18	90%	2	10%
5. Program modification based on assessment	18	86%	9	50%	9	50%

TABLE 13B

FREQUENCY OF METHODS USED (AJC)

Method		Median Response	
		CTP Participant	CTP Instructor
1.	Lectures	Most of the time	Most of the time
2.	Discussion groups	Often/Most of the time	Often
3.	Panel discussions	Not at all	Often
4.	Case studies	N/A	Some
5.	Role playing, simulation	Not at all	Not at all
6.	Videotaping	N/A	Not at all
7.	Moving pictures	N/A	Not at all
8.	On-the-job training	N/A	Not at all
9.	Computer Assisted Instruction	N/A	Not at all

TABLE 14B

PERCEIVED FACULTY COMPETENCE (AJC)

			Frequency of Response					
Aspect	Number Responding	Category of Median Response	Totally Unknowledgeable	Minimally Knowledgeable	Adequate	Quite Knowledgeable	Expert	No Response
Degree of their substantive knowledge.	22 (100%)	Quite Knowledgeable	–	–	2 (9%)	11 (50%)	9 (41%)	–
Extensiveness of their practical experience.	22 (100%)	Quite Knowledgeable	–	1 (5%)	4 (18%)	11 (50%)	6 (27%)	–
Teaching ability.	22 (100%)	Quite Knowledgeable	–	–	6 (27%)	8 (36%)	8 (36%)	–
			Not at all	Once or twice	Periodically	Often	Continually	No Response
Number times called upon staff/instructors since training for followup technical assistance.	22 (100%)	Not at all	19 (86%)	2 (9%)	1 (5%)	–	–	–

TABLE 15B

FACULTY FOLLOWUP/CONT. RELATIONSHIP (AJC)

Number of Times	Called upon by CTP Participants		Invited back to Institute	
	N	%	N	%
None	5	29	1	5
1 – 5	5	29	12	67
6 – 10	4	24	1	5
11 – 25	2	12	2	11
Greater than 25	1	6	2	11

INTEREST IN TEACHING AGAIN

YES (%)	NO (%)
95	5

3. NATIONAL JUDICIAL COLLEGE

The description which follows is based primarily on a visit to the National Judicial College in Reno, Nevada, on December 6, 7, and 8, 1978. The research on site included interviews with the Dean, Associate Dean, Staff Director of the Academic Department, Staff Director of the Finance Department, Staff Director of the Administrative Department, Staff Director for Publications and Communications, Staff Director for Admission and Services, and the Program Attorney. Documents and records of the College including records of participant evaluations and minutes of meetings of the Board of Trustees were made available to the study team.

During the visit, the research team observed two one-hour training sessions. While attendance at these sessions was a useful exposure to the training operations of the College, it should be pointed out that observations of training were not systematically or comprehensively undertaken and thus do not constitute a major source of description for this report. Similarly, the researchers had the opportunity to live in the same accommodations that participants typically use while at the College and to attend several training-related functions, such as a graduation ceremony and community banquet. These circumstances provided helpful vehicles for interaction with participants, staff, and faculty; the events themselves, however, do not fall within the purview of this report.

History of the College

On January 1, 1978, the National College of the State Judiciary became the National Judicial College. The adoption of a new name—and autonomous corporate status—marked nearly two decades of institutional development.

In 1960, Justice Tom C. Clark of the United States Supreme Court provided the impetus for judicial education of state trial judges when he organized and chaired the Joint Committee for the Effective Administration of Justice. From 1961 to 1963, under the Committee's aegis and with original funding from the W.K. Kellogg Foundation, a team of traveling judges was formed to conduct seminars in every state. The body of materials and experience that evolved during these seminars won the sponsorship of the Board of Governors of the American Bar Association (ABA), as well as continued funding from Kellogg. Consequently, in 1963, the National College of State Trial Judges was founded to meet the continuing education needs of general jurisdiction judges. The following year, under the initial leadership of Dean Ernest Friesen, the College held its first course, a one-month long session for 84 judges, at the University of Colorado Law School in Boulder. In 1965, the College received a grant of $210,000 per year for 10 years. A proviso of this grant was that the College move to a permanent home at the Reno campus of the University of Nevada. This relocation was effected under the stewardship of Judge Laurance M. Hyde. The College's location in Reno was further solidified when its physical plant, which contains administrative offices, a 46,000-volume library, the Tom C. Clark Auditorium, classrooms, and seminar rooms, was constructed with private foundation funds and dedicated in early 1972.

The College's ties with the University of Nevada are strong. The physical plant is deeded to the University, which supplies both utilities and janitorial/maintenance services. At the same time, the University's Board of Regents benefits both from the prestige of having judges study on the campus and from the guest lectureship and committee membership contributions of Judicial College personnel. However, the relationship with the University is not a formal institutional affiliation. The College's primary formal affiliation lies with the ABA, which administers by contract its personnel fringe benefits and payroll actions and whose Board of Governors elects the College's 12 policy-setting Directors—three of whom are nominated by the Board itself and nine by the Council of the ABA's Judicial Administration Division. In fact, until the College became a separate corporation in 1978 it was considered an activity of the ABA and its employees fell under the ABA's organizational auspices.

Although one foundation's grants were curtailed in 1973, another's funding was renewed in 1975 for five years at $325,000 per year with another $75,000 per year allocated to the law library. The Law Enforcement Assistance Administration has granted funds for academic sessions since 1971; for 1978, LEAA grants totalled $210,000. As a result of these and several other funding sources, the 1978 budget totalled $1.5 million, 32 percent of which came from tuition fees and 55 percent from the foundation sources. This increased foundation support has permitted a stable tuition since 1975.

Since 1974, the beginning of its period of greatest growth, the College has been headed by Dean Ernst John Watts. He and the Associate Dean, Colonel James Johnson, direct a full-time executive, professional, and classified staff of 35 in addition to a minimum of 10 temporary and part-time personnel.

Goals and Objectives of the College

From its inception, the College has sought to improve justice by increasing judge proficiency and the level of system modernization. In order to fulfill this overall goal, the College's resources have been directed towards providing judges with career judicial training and education. Its activities in this regard have been guided by four principal objectives:

- *To impart knowledge of the latest trends in the law and to update previous legal education.*
- *To improve skills and techniques and upgrade the actual performance level in judicial craftsmanship.*
- *To establish values and standards in the performance of judicial functions.*
- *To increase judges' understanding of the importance of their responsibilities, their impact on society, and their place in the scheme of democratic government.*

In support of these objectives, the College has developed a phased instructional approach which includes: a basic orientation, upon appointment or election, to the judicial function; clinical instruction, after 12 to 18 months on the bench, in a variety of function-related subjects; and periodic training—at least once every three to five years on a continuing basis.

Programs

History and Trends: The volume of program activities at the College has increased steadily and, particularly in recent years, rapidly. During the period from 1966 to 1969, two sessions of one-month's duration each were held per year. Four one-week graduate sessions were inaugurated in 1970, and this figure was doubled the following year. In 1972, special court programs were added, as well as programs for limited jurisdiction and nonlawyer judges. A record high 35 residential programs were offered in 1978. Altogether, the College has issued more than 8,000 Certificates of Completion for resident sessions; well over half of these have been awarded to judges attending sessions since 1974.

During its history, the College has conducted 271 extension programs for states in association with state supreme courts, judicial organizations, and law schools. Participants of these programs number over 17,000. In 1977, an extension program was conducted for the first time outside of the continental United States, in Guam.

Additionally, since 1975 ten special and innovative programs, such as the United Nations' "Meeting of Experts on Expeditious and Equitable Handling of Criminal Cases," have been offered in conjunction with disciplines related to the judicial process.

An analysis of programmatic trends (see "Five-Year Trend") shows a marked increase in the number of resident programs offered over the past 5 years and a steady decrease in the number of extension programs conducted during the same period. However, it should be noted that resident sessions are one to four weeks in duration while extension programs are less than a week and usually two days in duration.

FIVE-YEAR TREND*

		1974	1975	1976	1977	1978
Number of Programs Offered	Resident	17	23	28	30	36
	Extension	28	26	18	18	14
Number of Participants	Resident	906	1071	1123	1290	1226
	Extension	1905	2272	1375	1188	902

**These figures do not include assistance to states, special and innovative programs, University of Nevada activities, and community activities.*

Current Activities: Programs currently offered by the College are classified as Resident, Extension, and Special and Innovative. In addition, assistance and support are available to all state and regional judicial programs.

The Resident Programs are divided into three categories. Programs of the first category, the General Sessions, are designed to acquaint trial judges with major legal subjects and trial bench skills. The substance of the curriculum, which runs from two to four weeks,* depends on the scope of jurisdiction and prior legal training of the judge. The second category, Graduate Programs, offers an advanced level of instruction to the experienced judge who has typically completed a general course. Specialty Programs, the third resident category, treat particular legal areas, such as search and seizure, etc., in depth and cross lines of jurisdiction.

Extension programs occur at the request of state supreme courts, judicial organizations, and law schools. These programs, which range in length from one day to one week, are held locally, statewide, or regionally, and their topics are geared to the needs of the particular judiciary sponsoring the program.

Special and Innovative Programs have a principal theme or subject that is treated in a conference format by members of all branches of government and various judicially related disciplines.

Additionally, special provisions are made for the families of resident session participants through the College's programs for spouses and young people. These are optional programs that include orientations, tours, social events, academic sessions, and the like.

The "Summation of Current Programs," lists the specific major areas of activity in 1978 and the added (i.e., either new or repeated) course offerings for 1979.

Needs Analysis: According to the Associate Dean and the Academic Director, the College uses a variety of means to assess constituency training needs and identify topics.

Several features characterize this process: (1) Executive and professional staff members are often in the field, and they have frequent opportunities to meet judges and question them about their educative or training needs. In this regard, personal communications are central. (2) Meetings with the education committees of the National Conference of State Trial Judges, the National Conference of Special Court Judges, and the Conference of Administrative Law Judges of the American Bar Association are held annually to obtain feedback as to how the College is meeting their needs and to obtain their recommendations for new education and training programs. (3) The most

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**Interviews with NJC participants at the 12 survey sites uncovered strong sentiment for shortening the four-week programs to three weeks.*

SUMMATION OF CURRENT PROGRAMS

SESSIONS	DURATION	TARGET GROUP	TOTAL NUMBER OF PARTICIPANTS	OTHER OFFERINGS FOR 1979
GENERAL				
Nonlawyer: Spring	2 weeks	Special court (nonlawyer) judges	513 (inclusive)	
Fall	2 weeks			
Special Court Jurisdiction:		Special court (lawyer) judges and graduates of nonlawyer session		
Summer	2 weeks			
Fall	2 weeks			
General Jurisdiction:		General jurisdiction judges; or full-time special court (lawyer) judges with broad jurisdiction; or graduates of Special Court Session		
Spring	3 weeks			
Summer 1	4 weeks			
Summer 2	4 weeks			
Fall	3 weeks			
Administrative Law Procedures:		Judges, hearing officers, commissioners, referees, and examiners of Federal, state, regional, and local administrative agencies		
Spring	1 week			
Fall	1 week			
GRADUATE				
▪ criminal evidence—Spring	1 week	Judges who have completed Special Court Session; or General Jurisdiction Session; or Administrative Law Procedure Session; or Judges of General Jurisdiction with 5 years' service on bench; or full-time judges of Special Courts with broad jurisdiction, lawyer-trained, with minimum 5-years' service on bench	379	▪ administrative law—Spring and Fall (new) ▪ criminal law ▪ sentencing, correction and prisoners ▪ evidence (Summer)
▪ criminal evidence—Fall	1 week			
▪ civil litigation—Spring	1 week			
▪ civil litigation—Fall	1 week			
▪ decision-making process	1 week			
▪ decision-making skills and techniques	1 week			
▪ evidence—Spring	1 week			
▪ evidence—Fall	1 week			
▪ judge and the trial	2 weeks			
▪ new trends	2 weeks			
▪ sentencing/criminal law	2 weeks			
▪ sentencing felons—Spring	1 week			
▪ sentencing felons—Fall	1 week			

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SUMMATION OF CURRENT PROGRAMS

SESSIONS	DURATION	TARGET GROUP	TOTAL NUMBER OF PARTICIPANTS	OTHER OFFERINGS FOR 1979
SPECIALTY • administrative law advanced—Spring • administrative law advanced—Fall • alcohol and drugs • court administration • equitable remedies • evidence—Spring • evidence—Fall • family court proceedings • probate court proceedings • search and seizure • sentencing misdemeanants—Spring • sentencing misdemeanants—Fall • traffic court	All 1 Week	For all judges, court commissioners, masters, referees, court administrators and other persons exercising jurisdiction related to the subject matter of the session; and administrative law advanced: for Federal APA administrative law judges and their state counterparts who have functioned as such for 3 years	357	• state anti-trust litigation (new)—Spring and Fall • administrative law: claims and benefits (new) • minorities in the court (new) • administrative law-complex case • alcohol and drugs—Spring • equitable relief and injunctions • search and seizure—Spring • court management—managing delay—Spring, Summer, Fall
EXTENSION 14 state and regional seminars	3 days (average)	Administrative judges, court administrators, court clerks, trial judges, lower court judges of state and local courts	912	
SPECIAL AND INNOVATIVE (1 program) Judicial Rule Making Workshop for State Supreme Court Justices	2 days	Chief justices/state supreme courts	22	
SPOUSES/CHILDREN	2 weeks (average)		821	

Tabulation does not include assistance and support to state and local judicial education and training organizations by means of advice, materials, and faculty.

immediate verification of accurate needs assessment is thought to be enrollment numbers, and it was pointed out that, on this basis, only one program ("Minority Perceptions") has been inadequately assessed. (4) *Post factum* measures of satisfaction concerning specific offerings are routinely taken of all participants. Participants are asked to identify other areas which the College should address in its course offerings.

Curriculum Development: The process by which curriculum is developed at the College is determined by whether a topic is traditional (i.e., existing) or new.

In the case of existing programs, the emphases are on revision, refinement, and staying current with the law. An effort is made to avoid "reinventing the wheel," but a program is generally conducted three times before it is fully consolidated. Judges' responses are taken routinely six months after each course is presented, and these responses provide the basis for modifications. Concurrently, the Program Attorney, who is assigned by the Staff Director of the Academic Department to coordinate and develop the course, keeps abreast of germane literature and contacts selected judges about what should be taught in a given area.

Once a new course is defined by the Dean on the basis of needs identification, the Staff Director of the Academic Department, who is responsible for overall coordination of the curriculum, assigns the course to one of four Program Attorneys, who directs and monitors its further development. Both the Academic Director and the one Program Attorney who was interviewed used the anti-trust course as an illustration of the general curriculum development process. The development of this particular offering included the following explicit steps:

- *The Academic Director and the Program Attorney researched what other anti-trust programs had incorporated in the past. (The literature search is continued by the Program Attorney throughout the existence of the program and becomes, along with a developing, documented task analysis of a judge who must make an anti-trust case move through the system, a main basis for the eventual selection of course materials. Additionally, the College has its own series of published outlines for judicial reference on a variety of topics, developed by the research staff in coordination with key faculty members.)*

- *The Dean, Associate Dean, Academic Director, and Program Attorney contacted people in key areas of the country (i.e., those with experience in state anti-trust issues), practitioners, Federal judges, and members of the Department of Justice's Anti-Trust Division.*

- *Experts were identified through Department of Justice input and the College's own knowledge, and a meeting of such resources on the west coast was convened to discuss what should be taught regarding state anti-trust issues.*

- *The Program Attorney developed a tentative course outline.*

- *A second meeting was convened with key people on the east coast, who made suggestions for a major revamping of the outline.*

- *A third meeting was held with prominent anti-trust people in the Midwest.*

- *A new outline was developed which covered specific content, scheduling, and instructional methodology. (According to the Academic Director, instructional approaches depend on suitability to the topic, and the repertoire of techniques at the College is eclectic. In general, the direction is said to be away from T-groups, gadgetry, and lectures and to incorporate more field trips and role playing.)*

- *The outline was sent for review and comment to all the people who had made input on the course's development.*

Faculty Selection and Development: The teaching faculty of the College is chosen from prominent judges, law professors, attorneys, and court administrators, as well as from professional fields as varied as philosophy, speech, and psychology, to name a few. Faculty members serve without compensation, a contribution in time that, in 1977, was cited to be in excess of $500,000.

Two principal criteria guide the selection of faculty. The first is substantive knowledge and judicial experience; the second is ability as a speaker. A third criterion, personality, was identified by one respondent as being connected yet somewhat different from knowledge and speaking ability. This criterion was defined both as how well one "comes across" and, alternatively, "how well one is accepted by the participating judges."

Faculty are identified and selected through at least one of three modes. The first mode is the College staff's firsthand knowledge. This would include faculty who have conducted courses for the College in the past, graduates whose teaching potential was assessed while they were attending the College, experts who become known to staff in the context of course development discussions (such as those described for anti-trust), and persons whose ability has been proven in state programs. The second mode is referral, which would typically occur through the recommendation of a state judicial educator. The third mode would be a person's national prominence.

At the research team's request, 22 resumes considered to be representative as a group of the College faculty universe were selected by the Associate Dean. (The numbers that emerge from this particular group profile are only gross statistics, and the sample on which they are based is too small and inexact for reliable generalization.) In this group:

- *Sixty percent are National Judicial College graduates.*

- *Nine years is the average number of years of faculty tenure (the low is four years, the high is 15 years, and the mode is seven years).*

- *Thirty-three percent are state supreme court justices; 27% are circuit court judges; 14% are district court judges; and the remainder include a county court judge, a United Nations administrator, and a law professor. (These figures are based on the current positions held by each.)*

- *The average number of years in the current job is 8.5, with the longest tenure being 23 years and the shortest one year (based on 19 of the 22 resumes).*

- *One of the 22 faculty members is a woman.*

- *No data are available from these particular resumes concerning age or race.*

For the implementation or delivery phase of instruction, four faculty development mechanisms are utilized: (1) Prior to the course, group discussion leader training is provided, including preparation on communication, group process, and such technologies as the mock trial, role playing, and panel discussions. (2) The Program Attorney attends the instruction and meets with faculty members daily during the course itself in order to monitor the progress of both course and instructor. (3) Each Tuesday, the Dean, Executive, and Professional Staff meet with all faculty members, faculty advisors, and discussion leaders to obtain feedback and take necessary corrective actions. (4) Trainee evaluations provide *post factum* feedback with respect to the course content and the performance of the individual instructors.

Composition and Utilization of Staff: The College's full-time staff consists of 36 members: eight executive, five professional, and 23 classified staff. A summary profile of a staff is presented in the "Summary of Permanent Staff Characteristics."

Effectiveness

Marketing of Programs and Selection of Trainees: Alumni of the College are widely located. For example, virtually every jurisdiction visited in a recent survey (see *The National Manpower Survey of the Criminal Justice System*, 1978) had sent judges to the College at least once. Such a nationwide distribution of graduates—nearly one-third of the nation's judges—and faculty has an automatic impact on the marketing of programs, as does the publicity and visibility received by the College through frequent newspaper articles. These are reinforced by brochures and applications mailed to all state, county, and municipal judges describing the content of sessions, dates, eligibility requirements, and costs.

In addition, an advanced listing of resident sessions and costs is sent to state court administrators, chief justices of state supreme courts, presiding or chief judges of local courts, and officials of state and national judges' organizations to assist them in planning education programs for the subsequent year. Personal contact is maintained with a high percentage of these individuals nationwide.

The application process is facilitated through the provision of detailed instructions according to state and the name and address of each state's contact person. The criteria by which participants are selected are similarly delineated; these have been described in the "Summary of Current Programs" ("Target Group").

SUMMARY OF PERMANENT STAFF CHARACTERISTICS

	Executive Staff	Professional Staff	Classified Staff
Percentage with Baccalaureate Degree	75%	100%	43% (includes 1 associate degree)
Percentage with Graduate Degree	50% (3 law, 1 MBA)	100% (5 law, 1 library science)	N/A
Teaching Experience (Average Years)	4	0.6	N/A
Justice Practitioner Experience (Average Years)	19	10	N/A
Tenure at College (Average Years)	7	1.7	2
Average Annual Salary	$32,475	$19,739	$10,577
Average Age	49.5 (high: 65 low: 38)	37 (high: 51 low: 28)	31 (high: 59 low: 19)
Ratio Male/Female	6/2	5/0	2/21
*Racial/Ethnic Group Representation	White	White	White

*According to area labor review (Reno SMSA 1978), the black community comprises only 1.64% of Reno's population. Only one black has applied for a job in three years. Additionally, College officials claim that, while they do solicit in the newspaper and single out minority groups, their solicitations have had no results because of the low minority population and tight labor market (an unemployment rate of 2.5%).

Monitoring and Assessing Programs, Faculty, and Trainees: The College uses two evaluation methods: in-session observations and written critiques by participants. At Resident, Extension, and Special Programs, instructional content, methodology, coverage, and style are constantly scrutinized and monitored by College observers. In order to improve teacher effectiveness and update content, deficiencies are called to the attention of faculty during breaks; the Tuesday meetings of faculty, faculty advisors, and discussion leaders are used to assess the reception and the impact of the instruction.

At the end of each judicial seminar and Special Program, participants are requested to complete a critique form that assesses materials, instructor effectiveness, facilities, and personal benefits. For resident sessions, these critiques are completed: (1) prior to the session, in order to determine individual learning expectations; (2) at the end of the session, in order to suggest improvements and evaluate a broad range of instructional dimensions, including the importance of the subject, the value of the materials, and the effectiveness of the presentation; and (3) six months after the session, in order to gauge the extent to which expectations were fulfilled and training-influenced practices or procedures were initiated. The three forms from each participant are correlated, and an overall, largely quantified assessment is then made of the session.

For families accompanying judges, a "Spouses' Evaluation of Accommodations and Activities" questionnaire is administered.

Outside Evaluations: Several evaluations of the College have been conducted by outside evaluators in recent years. No major problems concerning the content or the quality of the programs were uncovered, with caveats reserved for class size and "the unsatisfactory relationships between national and state training programs" (*National Manpower Survey of the Criminal Justice System*, 1978: 65). It should be noted, however, that the 1978 *Report of the Judicial Education Study Group* includes the College among the several national, in-resident judicial education institutes recommended for periodic mandatory attendance by all state trial judges. Further, according to the *National Center for State Courts Evaluation Report on "Package Institutions"* (1974: 22), "College outreach programs appear not to duplicate state and local programs, simply because they are offered only at the invitation of a state or local body."

An additional study, Heginbotham's description of interviews conducted with training participants (*The Impact of the Court Improvement Training Package on Crime Rates and the Quality of Justice*, 1975), identified several dimensions of change in knowledge and/or activity associated with their experience in the College's programs. Interviewees felt that, concretely, these resulted in fairer trials, greater precision and flexibility in sentencing, and more efficient court management.

Other College Activities

Research and Publications: Instructional and reference materials developed by and through the College are widely distributed. This is especially true in block grant states that cannot send courts personnel to resident sessions.

A series of textbooks has been published on such varied court subjects as evidence, ethics, sentencing, appellate opinion preparation, inherent powers of the court, courts and the public, and courts and the news media, among others. Procedural pamphlets on the judicial role in plea bargaining and at the preliminary hearing have also been prepared.

Currently, a national level bench book, the latest in a series of quick access study outlines for judges, is being developed. Other topics in the series include state appellate decisions, criminal law, judicial function, and judicial function for administrative law judges.

Research and writing by staff, faculty, and participants are facilitated by the College's 46,000-volume law library, the largest law library in Nevada.

Interrelations: Due to both its functions and administrative structure, the College interfaces with a variety of groups and organizations, including alumni, the general public, and a number of criminal justice-related organizations.

While the College has no formal alumni organization, it does maintain contact with its graduates and faculty through periodic mailings, publications, social events, and field visits by staff members. Similarly, relations with the general public are directly served when staff members, particularly the Dean, address groups on issues relating to the judiciary and the courts in general.

The College interacts with other organizations in varying degrees of constancy and formality. As was reported previously, ties with the University of Nevada/Reno are strong, although the organizational affiliation is not formal. Computer, purchasing, check disbursal, and maintenance services are provided by the University, and an interchange of academic personnel occurs frequently. In addition,the College houses a large portion of its resident session participants in the College Inn, which is owned by the Board of Regents of the University of Nevada.

The College's formal affiliation with the ABA was noted earlier. In sum, the College is no longer an activity of the ABA, which nevertheless continues to administer a few financial and administrative actions and whose Board of Governors elects the College's 12 policy-making directors.

On a professional level, there are periodic interchanges of ideas, materials, or faculty resources with other courts training facilities, such as the Institute for Court Management, and national professional organizations, such as the National Center for State Courts. By the same token, there appears to be an historical distance that is more than geographical between the College and the American Academy of Judicial Education, which in effect are in competition over the general and limited jurisdiction judicial populations.

The College works closely with the National College of Juvenile Justice, which is housed in the same building. Similarly, the building is used as an education and training facility for the National Conference of Juvenile and Family Court Judges. In fact, the Judicial College Building was used for 92 programs involving 5,090 people other than Resident and Extension Program participants in 1978.

The College also interacts regularly with a number of in-state training programs. Such interactions may involve consultants, joint planning and coordination, or the provision of materials and instructors.

As the recipient of funds from various sources enumerated previously, the College maintains ties with foundations, private organizations, and one government organization, the Law Enforcement Assistance Administration.

Program and Related Costs

The College's budget history during the period 1977 to 1978 (calendar year), in addition to available projections for 1979, is recapitulated in "The Summary of Recent Budget History."

Management and Administration

Policy: Policy for the College is determined by its 12-member Board of Directors, which is elected for a three-year term by the ABA's Board of Governors. In addition to setting policy during its three scheduled meetings in October, March, and July, the directors have established four committees to manage the affairs of the College. These are the Executive Committee, the Committee on Administration, the Committee on Academic Affairs, and the Committee on Finance. Rules and procedures for Board operation are formal, and comprehensive minutes exist for each meeting.

Corporate officers elected by the Board from among its members are: Frank J. Murray, Chairman; John A. Sutro, Vice-Chairman; L. Stanley Chauvin, Jr., Secretary; and Jordan J. Crouch, Treasurer. Other directors include William H. Erickson, Roland J. Faricy, James R. Greenfield, William B. Lawless, Tim Murphy, Florence K. Murray, Ben F. Overton, and George H. Revelle. Staff members elected by the Board to positions in the College are: Ernst J. Watts, Dean; James E. Johnson, Associate Dean; Michael Maloy, Assistant Secretary; and James F. Williams, Assistant Treasurer.

Organization: The College is comprised of five operational components that are under the general direction of the Office of the Dean. These are the Academic, Administrative, and Finance Departments, the Department of Admissions and Services, and the Department of Publications and Communications. Another component is the law library, which is under the supervision of the Director of the Academic Department. Detailed statements of policy and procedure exist, as well as written descriptions of functional area responsibilities and individual jobs.

A sophisticated management information system supports the organization of the College. A continuously updated manual transcript file is supplemented by an automated system. Personnel files are entered in the ABA's computer; since 1971, the University of Nevada computer has processed accounting transactions at no expense to the College.

SUMMARY OF RECENT BUDGET HISTORY

	1977	1978	1979 (projected)
REVENUES			
• LEAA Discretionary Funding	$ 268,207 (19.6% of Total)	$ 210,000 (14.2% of Total)	$ 210,006 (11.7% of Total)
• Other Grants and Contributions	586,507	811,750	950,000
• Program Income	512,794	455,000	623,644
• Total	$1,367,508	$1,476,750	$1,783,650
COMPUTED VALUE OF CONTRIBUTED FACULTY AND FACULTY ADVISOR TIME	$560,000	$603,450	$677,970
EXPENDITURES			
• Personnel and Operating	770,127	940,350	1,053,250
• Programs	501,337	476,400	670,400
• Total	$1,271,464	$1,416,750	$1,723,650
TOTAL NUMBER OF TRAINING PARTICIPANTS (NJC PROGRAMS)	3,236	3,004	3,400
***AVERAGE COST PER PARTICIPANT (NJC PROGRAMS)** NJC Programs Include: 1. Resident Sessions 2. Extension Programs 3. Special and Innovative Programs 4. Spouses Program	$383 (For average of 56 instructional hours for NJC programs)	$472 (For average of 57 instructional hours for NJC programs)	$507 (For average of 60 instructional hours for NJC programs)

*Figure arrived at by dividing total program costs for year by total number of training participants for all categories of NJC programs.

Budget and Fiscal Matters: The budget is determined by the Dean's Office with substantial assistance from the Finance Director on the basis of the programs the College wishes to conduct in a given calendar year. Historical cost files are the principal grounds for forecasting each year's annual budget.

Once it is approved by the Board of Directors and put into effect, the budget is subject to periodic analyses at the end of each semester's calendar. (1) A general evaluation is conducted by the College at the end of May, August, and December on the basis of cost per student per day, and program reviews are made month-by-month. (2) After the Finance Director reviews all major entries, the budget is entered into the University's computer 3000 ledger accounts, through which an internal review is conducted every semester. On a year-round basis, the computer runs a selected spot-review of 10%-12% of the College's 46,000 transactions. (3) Regular external audits are conducted by Ernst and Ernst or some other major firm. (4) Grantors may conduct separate audits.

The College attempts to identify the most competitive sources for purchases and to buy in advance. The University, which gets State of Nevada rates, generally does the bidding, and University forms are used for normal purchases and ordering. Everything purchased has a seal on it for inventory and insurance purposes, and these are reviewed once a year.

Payrolls are processed through the American Bar Association and the University. The University makes all other check payments, except in the case of a special checking account which is a $10,000 imprest fund principally utilized for reimbursements for faculty and faculty advisor expenses. In no instance are fewer than three people involved in issuing checks.

The College maintains a minimum amount of petty cash to give change for travelers checks and, through the University, has set up a check-cashing system for participants' use.

Personnel: Personnel procedures at the College incorporate a combination of ABA and State of Nevada guidelines. Salaries for classified staff are consonant with state schedules in order to stay competitive with the local labor market. Executive and professional staff, who are drawn from a broader geographical pool, are not necessarily paid in accordance with state classifications. Fringe benefits, such as health and pension plans, are provided by the College on the basis of ABA criteria, while vacation and sick leave accruals are derived from state regulations.

Executive and professional staff are recruited nationally through newspaper advertisements and postings. Classified staff are recruited through newspapers and the services of seven affirmative action affiliate agencies. People with degrees are particularly sought. At the same time, it is policy at the College to promote from within as much as possible. Several of the staff interviewed remarked on the difficulty of attracting minority employees due to the low percentage of minority residents in Reno. At the time of the study team's visit, there was no minority representation on the staff.

Staff evaluations follow the state's system. Using the letter of hire, on which a checklist of job responsibilities is enumerated, a provisionary evaluation is conducted between the employee and his/her supervisor after 90 days on the job. Subsequent evaluations are made at the six-month point and then annually, when the supervisor is required to make a declaration of whether or not a merit increase will be recommended. All performance evaluations are reviewed by the appropriate department staff director, the Staff Director of the Administrative Department, and then the Dean for final approval.

Faculty: The main processes by which faculty are identified and recruited (i.e., from alumni, national reputation, in-state experience, and referral) were described earlier. Additionally, the College has a practice of using participant characteristics as a basis for identifying women and minority instructors and discussion leaders.

Once a faculty member is selected, he or she receives a confirmatory letter that includes provisions for compensation. (Generally, this means reimbursement. In the case of both participants and faculty, reimbursement is typically received before they depart for home.) Descriptions of previous curricula, a list of available teaching aids, and a schedule of lecture times accompanies this letter. Furthermore, new faculty are required to arrive at least one day early for orientation.

Provisions for faculty supervision include monitoring and observation, generally by the Program Attorney. If a major problem develops, it is brought to the attention of the Academic Director or the Dean. Two evaluations are sent to each faculty member. One is a "report card" from participants; the other is an assessment of performance by the respective Program Attorney.

Equipment: The College has maintenance contracts with IBM, Xerox, and the University. Additionally, operator checklists exist for every piece of equipment.

Equipment is covered by a blanket insurance policy, and building security is provided in response to Reno's recent upsurge in crime.

Challenges and Future Directions

Several events and trends will be pivotal in helping to determine the College's future courses of action.

The College's projections are based, in part, on its ability to obtain a portion of a $100 million corpus that is to be given away by 1980. Obviously, this will have a major bearing on the College's capacity to reduce core LEAA funding to zero by 1981. In any case, the major foundation's funding on the current basis will end in 1980.

College officials are enthusiastic about the possibility of developing a "University of Justice" which would, in effect, consolidate the separate activities of various courts training institutes, such as the Institute for Court Management and the Appellate Judges' Conference of the ABA.

The College is concerned with meeting the varied needs of a potential audience of approximately 23,000 judges, more than two-thirds of whom have not yet been served by its programs. One impediment to realizing this goal appears to be that many judges have not yet accepted the concept of judicial education. Additional difficulties lie in motivating leadership, i.e., chief justices, to support training and, of course, in funding it.

Officials identified three foci for future activities. The first would emphasize joint training for judges and court administrators. The second effort would be directed at training both appellate and trial judges in order to increase understanding of the functions of each and the relationships between the two. The third focus would be the Federal courts, although this would have a tertiary priority behind trial and appellate court training.

Training Objectives/ Perceived Effectiveness

Instructors at the National Judicial College set as their priority teaching objectives ones which are similar, if not identical, to those espoused by the College. Further, the instructors feel they are very successful in achieving those objectives (*Table 8C*), and both they and the participants regard the training as very relevant to the needs of the courts represented by the trainees.

The instructors and the training participants rate NJC high in effectiveness, as judged by the multiplier effects of the training (*Table 9C*). There is a low percentage of participants who have attempted to make organizational changes as a result of training, but 73 percent have attempted to make personal changes, mainly in the areas of evidence, jury instructions and general philosophy. The survey indicates that only 45 percent of the trainees recommend NJC to others. That response would tend to indicate a lack of need or opportunity to recommend NJC rather than any dissatisfaction with it, especially since 90 percent of the participants surveyed say they wish to return for additional training.

Participants and instructors alike speak highly of the soundness of the training design at NJC (*Table 10C*). The only negative is the degree to which the participant is kept informed of his/her progress during the course of the training.

Training Setting, Techniques and Faculty

Participants and instructors at NJC rate the college high on adequacy of the training setting (*Table 11C*), and the instructors are pleased with the management of the training events (*Table 12C*).

Lectures and discussion groups are identified by participants and faculty as the most used teaching method (*Table 13C*) and the trainees rank both fairly high as to usefulness.

TABLE 8C
INSTRUCTORS' PERCEPTIONS OF LEARNING OBJECTIVES (NJC)

	Perceived Achievement	
Objective	Average Priority Rating (1-High; 7-Low)	Category of Median Response
1. Improve participants' proficiency in their roles.	2.58	Very well
2. Enhance participants' understanding of their roles.	2.67	Very well
3. Update and increase participants' substantive knowledge.	2.82	Very well
4. Enable participants' to introduce new techniques and procedures in their systems.	3.35	Very well
5. Increase communication and consultation among professional peers/colleagues.	3.96	Very well
6. Enable participants to influence/promote change among other courts personnel.	4.47	Fairly Well

TABLE 9C

MULTIPLIER EFFECTS (NJC)

Aspect	Type of Respondent	Number/% Responding		Frequency of Response				
		N	%	YES		NO		No response
				N	%	N	%	N
Wish to return to institute.	Participant	114	99	103	90	11	10	1
Perception of participants' desire to return to institute.	Instructor	48	94	48	100	–	–	3
Perception of participants' actual return to institute.	Instructor	47	92	47	100	–	–	4
Share institute materials.	Participant	114	99	106	93	8	7	1
Perception of participants' use of institute materials.	Instructor	42	82	42	100	–	–	9
Use institute materials.	Instructor	50	98	44	88	6	12	1
Attempt to make institute-spurred personal changes.	Participant	114	99	83	73	31	27	1
Attempt to make institute-spurred organizational changes.	Participant	114	99	52	46	62	54	1
Recommend institute to others.	Participant	114	99	51	45	63	55	1

TABLE 10C

SOUNDNESS OF TRAINING DESIGN (NJC)

Training Design Component	Type of Respondent	Number Responding	Category of Median Response	Frequency of Response					
				Not at all	Somewhat	Fairly well	Very well	Thoroughly	No Response
1. Degree based on profession's needs.	Participant	114 (99%)	Very well	–	5 (4%)	16 (14%)	43 (38%)	50 (44%)	1
	Instructor	51 (100%)	Very well	–	2 (4%)	4 (8%)	21 (42%)	24 (47%)	–
2. Degree individual's needs are considered.	Participant	115 (100%)	Fairly well	26 (23%)	21 (18%)	27 (24%)	28 (24%)	13 (11%)	–
	Instructor	50 (98%)	Very well	–	2 (4%)	12 (24%)	23 (46%)	13 (26%)	1
3. Degree expected outcomes presented at outset of course.	Participant	106 (92%)	Very well	10 (9%)	12 (11%)	26 (25%)	43 (41%)	15 (14%)	9
	Instructor	48 (94%)	Very well	3 (6%)	4 (8%)	9 (19%)	20 (42%)	12 (25%)	3
4. Degree learning objectives clear and succinct.	Participant	107 (93%)	Very well	9 (8%)	9 (8%)	28 (26%)	47 (44%)	14 (13%)	8
	Instructor	50 (98%)	Very well	2 (4%)	3 (6%)	7 (14%)	23 (46%)	15 (30%)	1
5. Degree objectives are demonstrable.	Participant	109 (95%)	Fairly well	9 (8%)	18 (17%)	29 (27%)	31 (28%)	22 (20%)	6
	Instructor	50 (98%)	Very well	1 (2%)	7 (14%)	12 (24%)	21 (42%)	9 (18%)	1
6. Degree training provides opportunities to practice what is taught.	Participant	110 (96%)	Fairly well	16 (15%)	21 (19%)	26 (24%)	30 (27%)	17 (16%)	5
	Instructor	49 (96%)	Very well	4 (8%)	6 (12%)	11 (22%)	16 (33%)	12 (25%)	2

TABLE 10C (Continued)

Training Design Component	Type of Respondent	Number Responding	Category of Median Response	Frequency of Response					
				Not at all	Somewhat	Fairly well	Very well	Thoroughly	No Response
7. Degree participant informed of progress.	Participant	108 (94%)	Not at all	62 (57%)	16 (15%)	14 (13%)	11 (10%)	5 (5%)	7
	Instructor	46 (90%)	Somewhat	13 (28%)	11 (24%)	15 (33%)	6 (13%)	1 (2%)	5
8. Degree objectives, materials, and activities cohesive.	Participant	114 (99%)	Very well	1 (1%)	4 (4%)	10 (9%)	65 (57%)	34 (30%)	1
	Instructor	51 (100%)	Very well	–	3 (6%)	5 (10%)	28 (55%)	15 (29%)	–
9. Degree feedback/ evaluation useful.	Participant	110 (96%)	Fairly well	29 (26%)	17 (16%)	18 (16%)	31 (28%)	15 (14%)	5
	Instructor	50 (98%)	Very well	3 (6%)	4 (8%)	4 (8%)	21 (42%)	18 (36%)	1
10. Degree of opportunity to provide input to faculty.	Participant	114 (99%)	Very well	5 (4%)	14 (12%)	21 (18%)	49 (43%)	25 (22%)	1
11. Degree training upgraded and modified in relation to current state of the art.	Instructor	50 (98%)	Very well/ Thoroughly	1 (2%)	2 (4%)	3 (6%)	19 (38%)	25 (50%)	1

TABLE 11C
ADEQUACY OF THE TRAINING SETTING (NJC)

			Frequency of Response		
Aspect	Type Of Respondent	Number/% Responding	Yes	No	No Response
1. Similarity of participants' roles/experience	Participant	114 (99%)	92 (81%)	22 (19%)	1
	Instructor	49 (96%)	48 (98%)	1 (2%)	2
2. Sufficiently small classes	Participant	115 (100%)	92 (80%)	23 (20%)	–
	Instructor	51 (100%)	46 (90%)	5 (10%)	–
3. Sufficiently long courses	Participant	112 (97%)	104 (93%)	8 (7%)	3
	Instructor	50 (98%)	48 (96%)	2 (4%)	1
4. Match between participant needs and instructor expertise	Participant	113 (98%)	104 (92%)	9 (8%)	2
	Instructor	50 (98%)	49 (98%)	1 (2%)	1
5. Availability of instructors outside of class	Participant	112 (97%)	91 (81%)	21 (19%)	3
	Instructor	51 (100%)	47 (92%)	4 (8%)	–
6. Sufficient number of contact hours between participants and instructors	Participant	114 (99%)	106 (93%)	8 (7%)	1
	Instructor	51 (100%)	39 (77%)	12 (24%)	–
7. Reinforcement of behavior/skills	Instructor	46 (90%)	41 (89%)	5 (11%)	5
8. Adequate support services	Participant	112 (97%)	111 (99%)	1 (1%)	3
	Instructor	51 (100%)	51 (100%)	–	–
9. Adequate physical accommodations	Participant	115 (100%)	109 (95%)	6 (5%)	–
	Instructor	51 (100%)	51 (100%)	–	–

TABLE 12C
MANAGEMENT OF TRAINING EVENTS (NJC)

	CTP Instructor Response					
Aspect	Number Responding		Yes		No	
	N	%	N	%	N	%
1. Clarity of lines of authority/responsibility	50	98%	47	94%	3	6%
2. Adequacy of administrative procedures	49	96%	48	98%	1	2%
3. Instructors appraised of performance/expectations	49	96%	48	98%	1	2%
4. Instructors given orientation/staff training	51	100%	48	94%	3	6%
5. Program modification based on assessment	48	94%	47	98%	1	2%

TABLE 13C

FREQUENCY OF METHODS USED (NJC)

Method	Median Response	
	CTP Participant	CTP Instructor
1. Lectures	Most of the time	Often
2. Discussion groups	Often	Often
3. Panel discussions	Not at all	Some
4. Case studies	N/A	Some
5. Role playing, simulation	Some	Some
6. Videotaping	N/A	Some
7. Moving pictures	N/A	Some
8. On-the-job training	N/A	Not at all
9. Computer Assisted Instruction	N/A	Not at all

NJC faculty are rated very highly by the participants, in terms of substantive knowledge, teaching ability, and extensiveness of their practical experience. (See *Table 14C.*)

Participants indicate only rare contact with instructors following conclusion of training programs. Instructors indicate slightly more post-training contact (*Table 15C*), and show a marked tendency to return to NJC as instructors.

Other Comments

In response to a final open ended question regarding overall strengths and weaknesses, 34 participant respondents cited only strengths, five only weaknesses, and a number of others offered both. High on the list of strengths was collegiality—getting together with other judges. Also high were the credentials of the faculty and the management of the training setting. The chief weaknesses cited were that some courses were too long (especially the four-week courses) and lectures were used to too great an extent.

TABLE 14C

PERCEIVED FACULTY COMPETENCE (NJC)

			Frequency of Response					
Aspect	Number Responding	Category of Median Response	Totally Unknowledgeable	Minimally Knowledgeable	Adequate	Quite Knowledgeable	Expert	No Response
Degree of their substantive knowledge.	113 (98%)	Quite Knowledgeable	–	1 (1%)	2 (2%)	54 (48%)	56 (50%)	2
Extensiveness of their practical experience.	115 (100%)	Expert	–	1 (1%)	9 (8%)	46 (40%)	59 (51%)	–
Teaching ability.	113 (98%)	Quite Knowledgeable	–	1 (1%)	25 (22%)	61 (54%)	26 (23%)	2
			Not at all	Once or twice	Periodically	Often	Continually	No Response
Number times called upon staff/ instructors since training for followup technical assistance.	115 (100%)	Not at all	86 (75%)	20 (17%)	7 (6%)	2 (2%)	–	–

TABLE 15C

FACULTY FOLLOWUP/CONT. RELATIONSHIP (NJC)

Number of Times	Called upon by CTP Participants		Invited back to Institute	
	N	%	N	%
None	8	17	1	2
1 – 5	15	33	27	55
6 – 10	9	20	11	23
11 – 25	6	13	10	20
Greater than 25	8	17	0	0

INTEREST IN TEACHING AGAIN

YES (%)	NO (%)
96	4

4. AMERICAN ACADEMY OF JUDICIAL EDUCATION

The American Academy of Judicial Education (AAJE), located in Washington, D.C., was selected as the pilot site visit, to serve as a training session for the project staff who would conduct future visits. The proximity of the Academy to the evaluator's offices also permitted additional data collection and discussions with the staff after the visit was completed.

The visit also assisted in the refinement of the interview instruments and in sharpening the goals and agenda for each future site visit.

The site visit to the AAJE was held on November 15 and 16, 1978. The kick-off meeting included all members of the project team and all administrative staff persons from AAJE. The various project teams interviewed appropriate personnel to complete the survey questionnaires. Major interviews were conducted with the Executive Director; Chief, Programs and Services Section; and Chief, Administrative Section, who provided much of the resource materials. Almost all staff members were involved in some phase of the interview process, especially regarding the administrative procedure of the office and programs.

Several subsequent visits and telephone calls were made to complete the data collection process and to verify information. A draft of the findings was submitted to AAJE on January 15 for confirmation of facts.

History of Academy

The American Academy of Judicial Education was founded in 1969 by the American Judges Association and the American Judicature Society to provide continuing education for judges of limited and special jurisdiction. The first LEAA grant was awarded in 1970 to the University of Alabama for a national program, offered and operated by the Alabama Program of Continuing Legal Education. Another LEAA grant was awarded to the university for a national program in 1971. Mr. Douglas Lanford directed both of these programs, in his capacity as the full-time Director of the Alabama Program of Continuing Legal Education. He became full-time Director of the Academy in October 1971. The offices were moved to Washington in 1972 when the LEAA grant was awarded directly to the Academy.

In addition to the Executive Director, the Academy is presently staffed by a Chief, Programs and Service Section; a Chief, Administrative Section; a Chief, Conference Section; a Chief, Financial Section; and three secretarial/clerical staff members. From 1977 through 1978, a project director, whose position was funded primarily by the Department of Transportation, supervised a national judicial conference.

The Board of Directors of the Academy consists of six members; four of these are judges of state courts. Meetings are held twice annually to determine general policy and direction of the Academy and to offer guidance to the Academy Director.

In addition, a Curriculum Committee, consisting of five members, meets once a year to determine the substance and form of the special national conferences.

The major source of funding for the Academy is LEAA. Some funds have been provided by the National Institute on Alcohol and Alcohol Abuse and the National Endowment of Humanities. Approximately 50% of the funds are from LEAA and 50% from project income. In 1978, the consideration of LEAA as a technical assistance organization eliminated the need for cash match requirements. This year, however, LEAA has again required this financial match. Unlike two other major national training organizations (National College of Juvenile Justice and the National Judicial College), the Academy has no foundation funding.

The American Judicature Society in 1977 withdrew its affiliation with the Academy, citing its inability to provide a cash match for sponsorship as its reason for terminating its support.

Goals and Objectives of the Institution

The Academy seeks to improve judicial performance by providing superior continuing education programs for judges, designed to help increase their knowledge and skills and, in some instances, modify their attitudes. Based on their concept of "master model curricula," the Academy offers a wide range of programs and services to benefit a judge in all phases of a career—from pre-bench orientation sessions, to videotaped materials and speciality seminars that serve as reviews for more experienced trial judges.

A more specific goal of the Academy is to assist states in implementing in-state programming and services by developing model programs, by offering technical assistance (personnel and materials), and by exploring cooperative efforts between regions.

Programs

Trends: In the early years of the Academy, the national conferences dealt primarily with traditional topics—criminal law procedure, evidence, legal writing, and sentencing, for example. The Academy placed emphasis, during this time, on the development of innovative methods of presentation, such as the videotaped mock trial and videotaped courses of instruction. The focus of the first few years was also on providing assistance to states through the design and presentation of in-state conferences.

Since 1974, the Academy has emphasized the development of innovative programs, such as the judicial writing program and the expansion of the National Videotape Library. The trend during the past few years has been to present programs which address speciality issues, as opposed to procedural issues and skills. Conferences in the last two years include one-week programs on Jurisprudence and the Humanities, the Uniform Commerical Code, and the Alcohol Offender. The 1979 programs continue this trend, with programs such as Law and Psychiatry and Fact Finding, Decision Making and Communication.

The greatest priority of the Academy at this time is to increase the effectiveness of its services to state trial judges by expanding the resources of the National Videotape Library and by developing model programs and other types of materials that can be replicated by state judicial education officers.

Although in-state programming is decreasing, the Academy is placing heavy emphasis on regional judicial education planning. During 1978, for example, the Academy initiated regional judicial education planning committees in seven regions. One of these regions, New England, has been utilizing Academy technical assistance for over six years in order to plan regional programs. It is the Academy's goal to initiate and support these regional efforts because they lower travel costs, complement in-state programs, and result in fewer scheduling problems.

The number of national conferences has increased 100% since 1974—from 10 programs during 1974 to 20 during 1978. During the same time period, the number of state conferences has been decreasing (see chart below), a result of the increasing number of states that have individuals responsible for developing in-state conferences. Participation in the national conferences fluctuated somewhat during the past five years, but participation during 1978 reached a record number of 426.

PROGRAM CHARACTERISTICS 1974-1978

PROGRAMS	YEAR				
	1974	1975	1976	1977	1978
No. National Conferences	10	12	12	18	20
No. Participants (National)	346	318	399	340	426
No. State Conferences	34	28	24	20	12
No. Participants (State)	2,608	2,377	1,916	1,331	1,192
Average No. Contact Days Per Conference	2-1/2 days	2-1/2 days	2-1/2 days	5 days	5 days

Current Programs: During 1978, the Academy conducted 20 national conferences. The agenda included:

Trial Judges Academy. A two-week national educational program for newly elected judges of courts of general and limited jurisdiction, which serves also as a valuable refresher for experienced legally trained judges. The goal of the course is to provide the basic knowledge, skills, and attitudes necessary to properly discharge judicial responsibilities, particularly in the trying of cases. The format for this course includes short lectures followed by small group discussion or videotape workshops. Among the subjects dealt with are search and seizure, plea bargaining, speedy trial, evidence, sentencing, and ethical concerns of enforcing law. Two of these programs were held during the summer, at the University of Virginia and the University of Colorado Law Schools.

Citizens Judges Academy. Two one-week sessions are held concurrently with the trial judges academies aimed to train the non-lawyer judge to competently handle misdemeanors coming before him. Two sessions were held in 1978.

Specialty Academies. The specialty academies are designed to provide intensive study for experienced trial judges, using videotaped simulated trial scenes as the basic teaching technique, with follow-up small group discussions concerning the rulings presented. Each conference runs for 2-1/2 days. Two are offered during the same week to allow judges to take consecutive courses during one week. Six specialty academies are normally held each year. These programs can be adapted by individual states for their own needs.

Trial Judges Writing and Appellate Judges Writing Program. These programs aim to assist judges in the improvement of writing skills, especially in their opinion writing. The method of instruction is basically writing and re-writing, under expert tutelage. This is supplemented by private tutorials, and a modest amount of lecturing and small group discussion. There is a follow-up by the student judges with the submission of writing samples on a monthly basis to faculty members for a period of 10 months after the program has ended. Four programs were held in 1978. These programs received extremely high recognition and ratings during training participant interviews in the 12 case study sites.

Jury Trial Workshops. Programs for experienced law-trained judges which feature a complete simulated criminal trial. One week-long conference.

Judge Trial Workshops. Designed for experienced law-trained judges with limited jurisdiction, using a simulated criminal trial. One week-long conference.

The Academy assists states in conducting judicial education conferences by providing assistance in their design, organization and administration. The Academy can design a model curriculum for individual states on a wide range of subjects with lectures, videotape materials and recommended consultants offered as part of the package. States may also request Academy staff and faculty for the presentations. Many of the programs are spinoffs from national programs, but are tailored to meet the specific needs of individual states. The "turn-key" concept allows for replication of Academy programs.

Needs Analysis and Curriculum Development: There is no formal assessment undertaken in terms of curriculm development. The Executive Director identifies need on the basis of his 18 years of experience in the legal education profession, his review of other institution's brochures, and his awareness of current problems.

He also receives counsel from the Board of Directors and the Curriculum Committee which meet annually to discuss course content and methodology.

The evaluations administered to participants after the national and state conferences are also used in developing curriculum. The student assesses faculty performance and subject presentation, both in terms of content and format and makes recommendations for future program areas. These suggestions and observations are considered in planning courses for the following year.

The Academy's review of literature of other national and state education organizations also provides information regarding topic selection.

The Executive Director feels that this subjective approach to needs analysis is the only viable means at this time to accomplish this task since there is no research and development component within the program grant. He feels that the major strengths of the curriculum are its innovative courses, excellent methods of instruction, and comprehensive programming that meet a variety of needs of the states.

He sees as a major problem AAJE's inability, because of time and budget constraints, to plan and develop more intensively and to develop model materials and programs for their use and replication by other national and state organizations. The declining money base of LEAA, he believes, causes staff reduction—which in turn minimizes the time that could be spent on these types of projects.

In addition, the Executive Director would like to see other developments: (1) gearing needs assessment to various categories of judges; (2) using experts in curriculum design, both academicians and practitioners; (3) staff review of legal periodicals for indication of needs; (4) more rigorous testing—pre-on-site and post-training exams; and (5) more input from the Curriculum Committee.

No specific instructional objectives are set for each course. Most of the materials are developed by the Academy faculty members.

Faculty Selection and Development: There are 62 faculty members listed in the Academy roster; 30 of these were utilized in the Academy's national programs during 1977. Most of the faculty are chosen by the Executive Director from his own experience or contacts or recommendations by colleagues in the field. There are no definite criteria for selection, although expertise in a particular area and good teaching skills are prerequisites.

Of the 62 faculty, four are female and one of the total number is an ethnic minority. The average age of the faculty is 48 years, with ages ranging from 31 to 67 years. Twenty-seven of the faculty are judges, including one Chief Justice; 22 are professors of law; six are professors of English and Humanities. Among the others are: one attorney, one writer, one professor of criminology, one psychiatrist, and one psychologist.

Of the 30 used in last year's national programs, over half (17) were judges, six were professors of law, and four were professors of English/Humanities.

Faculty members, according to policy, receive $100 per day for the national conferences and $135 for state conferences. The average tenure of the faculty at the Academy is 4.2 years, with several members participating since its inception.

There is no faculty development program. The faculty are given the course topic and materials before the sessions and meet their classes with little advice or supervision from the Academy staff.

Permanent Staff: Douglas Lanford, the Executive Director of the Academy since its inception, is responsible for the policy and planning of the Academy. In terms of program development, he works chiefly with the judicial education personnel. The former Staff Attorney is now the Chief, Programs and Services Section (since November 1977). There is no other staff attorney at present. The next person on the staff in order of administrative significance is the Chief, Administrative Section, who is basically involved with office management.

Two positions which formerly existed—the Assistant Director for Administration and Finance and the Assistant Director for Programs and Services—were terminated when LEAA funds were decreased last year. The responsibilities of the Assistant Director of Programs and Services and those of Staff Attorney were combined into one position. The duties formerly discharged by the Assistant Director for Administration and Finance were allocated to two other staff members. The Chief, Conference Section, handles all the administrative responsibilities for national and state conferences. In former years, these responsibilities were divided between two separate conference coordinators.

There are two secretaries and one administrative assistant who comprise the support staff for the office.

The staff is recruited through newspaper advertising, employment agencies and notices at colleges and laws schools.

Effectiveness

Marketing of Programs and Trainees: The Academy has a mailing list of 20,000 judges who receive brochures and schedules of conferences for the year. The mailings are distributed nationwide.

During the past five years, national programs have been for appellate, general, and limited jurisdiction judges. The 1978 jurisdictional breakdown was 40 percent limited jurisdiction, 40 percent general jurisdiction, 13 percent non-lawyer judges, and 7 percent appellate jurisdiction. The non-lawyer judges, of course, are all of limited jurisdiction.

The total percentage then, for limited jurisdiction participants would be over 50 percent. Some courses are exclusively for a particular category of judge such as the law-trained experienced judge, the newly elected judge or the non-lawyer judge. The Executive Director sees AAJE's target group as the state court judge.

The only restrictions placed on attendance concern categories of judges who cannot attend courses designated for another group. For example, non-lawyer judges cannot attend programs for law-trained judges. Four major categories which the Academy tries to target in specific courses are: new judges, non-lawyer judges, legally trained judges, and judges in a specific state.

Monitoring and Assessments of Programs, Faculty and Trainees: The in-house evaluations consist of what the Director terms "happy sheets," questionnaires distributed to participants immediately after a conference. These evaluations have helped to determine the substance and format of the curriculum, selection of faculty, the elimination of topics, and changed course schedules and the chronology of sessions.

Outside Evaluations: The 1972 Heginbotham evaluation consisted of interviews with judges who have participated in the Academy programs and used quotes from them as a primary source. The remarks are very general and descriptive, with little analysis or criticism.

In 1975, the National Center for State Courts evaluated the Academy as one of the "package" institutions. This evaluation describes the program, staff, nature of the faculty and participants, but does not deal with management or curriculum development. The Executive Director states that he did not make much use of these evaluations.

Other Institutional Activities

Publication: The Academy publishes two books that assist judges in remaining current in their field. *Recent Decisions*, a digest of Supreme Court decisions prepared at the close of the court term, is published annually. The second publication is *Constitutional Criminal Procedures*, an up-to-date source book written by Professor Charles H. Whitebread of the University of Virginia.

The Academy had published *Judicial Education News*, a bi-monthly newsletter, until late 1975, when it was discontinued because of insufficient funds and staffing problems. The Executive Director plans to re-institute the *News*, if funding permits.

The Academy has developed a National Videotape Library through which tapes (primarily in the area of criminal law and evidence) can be purchased or rented. These tapes are accompanied by printed materials such as workbooks and quizzes to assist in the instructional process.

The Data Bank of the Academy is a repository which is maintained to serve as a clearinghouse for judicial education materials.

The major outreach to alumni is through the brochure mass mailing and occasional memoranda relating to boosting national conference attendance. Several brochures with application forms are printed each year, describing the offerings for the current year, as well as specific courses, publications, and services.

A larger catalogue printed in 1973 serves as the major institutional policy source and outline of programs.

External Relations: The Academy is aware it is providing some services similar to those offered by the National Judicial College (NJC) in Reno, Nevada, another LEAA-funded training institution. Quite early in its history, the Academy was emphasizing the training of judges of courts of limited jurisdiction at the national level. Since 1971 it has also made its services available to states for developing training programs for appellate general, juvenile and limited jurisdiction judges. In the early 1970's national conferences were publicized to general jurisdiction judges, and with the exception of the writing program in 1974, no programs were developed for appellate judges. No national programs for juvenile judges have ever been contemplated because of the existence of the National College of Juvenile Judges.

According to the Academy, LEAA awarded the National Judicial College funds in 1974 with the condition that those funds were to be expended only for general jurisdiction training. The funds that year to the Academy were similarly conditioned, to be spent for training for limited jurisdiction judges. The Academy expressed a willingness to adhere to this arrangement, but the National Judicial College refused. The NJC secured a one-year exemption from the condition from the Administrator of LEAA, who later resigned, and the exemption was never terminated.

There are various opinions regarding the competitive factors of NJC and the Academy. On the one hand, some staff at the Academy view the NJC as a competitor with an edge because it receives other private foundation monies, has a larger staff and budget, and classroom space at its institution. On the other hand, it is also felt that since both schools cannot meet the demands of the education of judges, it is essential that judges have a choice of training programs. In this sense, the competition is seen as a motivating factor for providing programs which are both current and excellent in substance and training format. The competition factor is viewed by some as a deterrent to institutional parochialism.

The Academy also feels that while NJC enjoys economies of scale with fixed location, large staff and classroom facilities, the Academy has an advantage in more diverse teaching methodologies, more innovative courses, and more service to states. The Academy points out that judges would probably prefer to go to new locations for their courses, a benefit which the Academy allows, but which the NJC, with only a few off-site programs, does not share.

The Academy mentions LEAA funding in its brochure of 1979 conferences. LEAA is also mentioned as a funding source in the Academy catalogue which attributes its success to the "continued backing" of LEAA and other funding sources.

Program and Related Costs

Budget History: The project budget for the last three years has remained somewhat constant, both in total figures and in separate categories. The total budget for 1976-77 was $437,899, with $250,109 coming from LEAA funding. In 1977-78, the amount was $504,399, with LEAA funding totaling $250,109. The 1978-79 budget was $437,238, with LEAA contributing $185,002.

BUDGET HISTORY

EXPENDITURES	1976-1977	1977-1978	1978-1979
REVENUES			
LEAA funding	$250,109	$250,109	$185,002
Other Income*	$187,790	$254,290	$252,236
EXPENDITURES			
Salaries & Wages	180,510	217,926	216,801
Fringe Benefits	24,768	31,928	33,363
Travel	64,914	51,542	42,851
Contractual Services	76,155	110,050	74,683
Supplies & Materials	67,402	92,953	69,540
Current Fixed Charges (rent, mortgage)	24,150	–	–
TOTAL BUDGET	$437,899	$504,399	$437,238

**Other income may include the cash match from the American Judges Association and the American Judicature Society, tuition, videotape and publications income, and recovery of costs from State conferences.*

Despite the decline in the level of funding, in 1978-79 the Academy has maintained the same level of budget as two years earlier, in 1976. The $437,000 total budget remains the same, while LEAA funds decreased by approximately $65,000. In terms of the categories of expenditures, faculty salaries have decreased while administrative salaries have increased. There are several positions in this latter area, however, which have not been filled during the last grant year, and it is not clear to which functional category the money has been transferred. (See chart below.)

FUNCTIONAL CATEGORIES OF EXPENDITURES

CATEGORIES	1976-1977	1977-1978	1978-1979
Instructional Salaries	$53,750	$66,080	$45,630
Instructional Support (Support staff, materials, etc.)	154,721	162,365	120,262
Institutional Support (Administrative salaries)	229,428	275,054	271,346

Cost Analysis: In compiling the statistics given below, the total cost of each conference was divided by the total number of participants for each, to derive the cost per student per conference. In the chart below, the average costs were calculated by dividing the total costs per student by the total number of conferences. Staff salaries and indirect costs (such as rent, equipment, etc.) are not factored into this analysis because the bookkeeping methodology does not divide costs for national conferences. This causes the cost-per-student to be less than actual cost.

a. *National Conferences*

The Citizen Judges Academy, held in Charlottesville, Virginia, August 8-11, 1978, had the highest cost per student of all national conferences held during that year. The actual cost per student for this conference was $580.00. Twelve students participated for 33-1/4 instructional hours. Two full-time faculty and six part-time faculty participated and four AAJE staff members were present.

A workshop on evidence issues, held January 23-25 in Coral Gables, Florida, had the lowest cost per student ($109) for all national conferences. Twenty-one students attended 16 instructional hours. Two faculty and one AAJE staff member participated.

The remaining national conference costs fall somewhere between the minimum and maximum numbers presented.

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b. *State Conferences*

The in-state conference on judicial procedures, held in St. Thomas, Virgin Islands on May 12 and 13, 1978, had the highest cost per student of all in-state conferences. Six judges (representing all of the judges of that court) attended a total of 12 instructional hours, bringing the cost per student to $673. Two faculty and one AAJE staff member were present. This maximum is considerably above the average cost since the remainder of the state conferences are significantly lower.

The lowest cost per student was $19.08 for the Mississippi Justice Court Judges Seminar in Jackson, Mississippi, February 19-21, 1978. Six faculty were present, along with 200 participants. Again, this number significantly differs from the average cost per student (see chart below).

CONFERENCE STATISTICS

Category	Total No. Conferences	Average Cost Per Conference	Average No. Students	Average Cost Per Student Per Day	Average Cost Per Student
National	18*	$5,804	22	$61	$264
In-State	10*	$6,496	90	$34	$72

**Indicates conferences with available data.*

These figures for both national and state conferences are based on costs provided by AAJE. Estimates for some staff salaries per hour were not available since their hours are not broken down according to each conference. The figures for state conferences include the indirect charges paid by the state, a 21.63% rate established by LEAA. LEAA funding will not pay for any indirect charges beyond this rate.

Management

The Executive Director is the chief planning and policy officer for the Academy. He delegates specific tasks to Section Chiefs, who must ultimately meet the approval of the Director. The Executive Director prepares the annual LEAA grant application and plans other budgetary matters with the Section Chiefs.

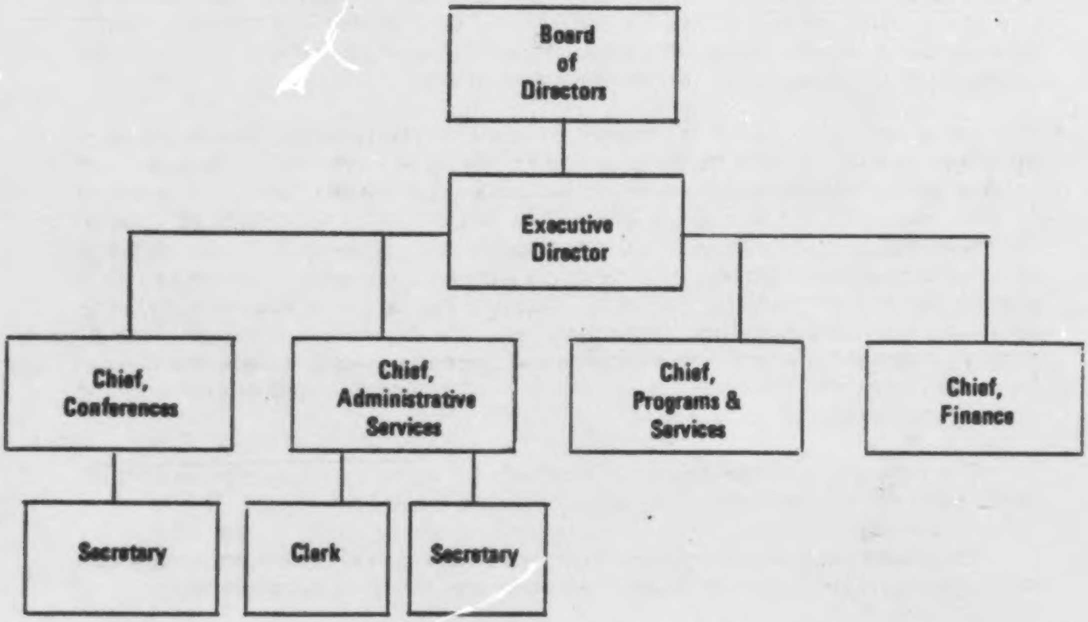
The Chief of Programs and Services Section is responsible for national and state programs, in terms of design, faculty recruitment, training materials and teaching methodology. He coordinates much of the day-to-day operations of the Academy, which includes coordinating services such as technical assistance activities, research and publications.

The Chief, Conference Section, is concerned primarily with the physical arrangements of each conference—registration, facility, and communication with faculty and participants. The Coordinator also maintains post-conference records regarding attendance, finances, and evaluation.

The Chief, Administrative Section, oversees the support staff and is in charge of filing, office procedures, and equipment maintenance. (See the organization chart below.)

While there is no written goals statement of the Academy, there is a booklet published three years ago which does outline the objectives of the Academy. This describes in detail the various programs and activities undertaken and lists faculty and staff. While personnel have changed, the philosophy and program goals of the Academy have remained the same; therefore this publication can be used as a statement of objectives.

ORGANIZATIONAL STRUCTURE


Board of Directors
Executive Director
Chief, Conferences
Chief, Administrative Services
Chief, Programs & Services
Chief, Finance
Secretary
Clerk
Secretary

The Academy has written fiscal and accounting procedures which appear fairly complete, in that a *process* for recordkeeping is adequately outlined. The filing manual and property records forms track equipment and furniture.

The Academy maintains job descriptions for all staff (except the Executive Director), and a procedures manual which documents office procedures and policies. The procedures manual has been in a state of development for several years and was 80% complete at the time of our visitation. There were no procedures for personnel evaluation, discipline or grievance issues, at least at that time.

The conference review file sheets were complete, providing for accurate records on each conference in terms of staff and faculty hours, salary, instructional hours, and participant profile.

Challenges and Future Directions

The Academy made several comments relating to future funding, programs, and needs. In 1979, funding requests are being submitted to LEAA, the National Endowment for the Humanities, and the Department of Transportation. AAJE was seeking funds specifically for the education of non-law-trained judges. Its request to LEAA is limited to $150,000, or $35,000 less than the grant last year. Mr. Lanford would like to see more money allowed for research and development—for example, faculty development programs. He would also recommend a higher allocation of LEAA money to organizations which do not receive foundation grants.

Some long-term goals of the Academy include providing comprehensive service to all judges, developing more model programs for the states (state-specific packages) and moving toward regionalism in national conference programming. Several components of their master model curriculum which they would like to see developed include: (1) model non-lawyer judge curriculum and certification process; (2) model pre-bench orientation curriculum for non-lawyer and trial judges; (3) curriculum for mental health and the law; and (4) model curriculum for juvenile judge pre-bench education and long-range in-state curriculum (in cooperation with the National College for Juvenile Judges). A general goal is the development and presentation of programs and services for those judges who most need them. This normally means an emphasis on judges of limited jurisdiction and lay judges.

The Academy is in the process of developing a model curriculum on alcohol offenders and the judiciary, a turn-key program funded by NIAAA.

They would also like to increase their videotape capacity, seek more audio-visual support for their programs and develop better systems for office management.

The Academy feels this evaluation will be helpful to them in terms of the statistics compiled which will help in recordkeeping and in analysis of past conferences and in forecasting conferences. They presently do not cost out staff time by each program but plan to do so in the near future.

Some Academy staff feel that the Academy should focus its efforts on one type of program—national—while cutting down on state programs. It is felt there is a point of diminishing returns with numerous programs and small staff.

Training Objectives/ Perceived Effectiveness

The objectives of AAJE and those identified by the instructors surveyed are in accord, and the instructors feel they are successful in achieving their two priority objectives but not as successful in pursuing the others (*Table 8D*). Nevertheless, both the participants and the instructors feel the training is fully or very relevant to the needs of the court systems from which the participants come.

Participants and instructors also rank AAJE high generally in the multiplier effects which speak to the effectiveness of the training. Two areas which should be noted concern the degree to which trainees share AAJE training materials with others (53%) and the degree to which participants attempt to make organizational changes based on training (28%). The latter point probably speaks more to the thrust of training at AAJE. (See *Table 9D*.)

As for soundness of training design, AAJE is rated exceptionally high by participants and instructors alike (*Table 10D*).

Training Setting, Techniques and Faculty

Participants and faculty alike express high satisfaction with the training settings at AAJE programs (*Table 11D*), but instructors indicate a degree of dissatisfaction with the management of those training events (*Table 12D*), especially regarding orientation and training of faculty, and, to a lesser degree, the adequacy of administrative procedures.

Trainees and instructors agree generally that discussion groups and lectures are the most prevalent teaching methods (*Table 13D*), and the participants find these equally useful.

The instructors at AAJE receive the highest rating possible by participants, in the areas of substantive knowledge, practical experience, and teaching ability (*Table 14D*). The instructors tend to be invited back quite often to teach at AAJE programs (*Table 15D*).

Other Comments

In response to a general question regarding the overall strengths and weaknesses of AAJE, the participants were quite positive. Instructional content and expertise of the faculty were most commonly mentioned. Of the weaknesses mentioned, none emerged as any kind of consensus from the participants. Instructors, however, did cite problems in the organization and management, specifically the absence of a full-time technical director or leader present at the seminars.

TABLE 8D

INSTRUCTORS' PERCEPTIONS OF LEARNING OBJECTIVES (NAJE)

Objective	Perceived Achievement Average Priority Rating (1-High; 7-Low)	Perceived Achievement Category of Median Response
1. Improve participants' proficiency in their roles.	2.73	Very well
2. Update and increase participants' substantive knowledge.	2.92	Very well
3. Enhance participants' understanding of their roles.	3.15	Fairly Well
4. Enable participants to introduce new techniques and procedures in their systems.	3.56	Fairly Well
5. Increase communication and consultation among professional peers/colleagues.	4.19	Fairly Well
6. Enable participants to influence/promote change among other courts personnel.	4.56	Fairly Well

TABLE 9D

MULTIPLIER EFFECTS (AAJE)

Aspect	Type of Respondent	Number/% Responding		Frequency of Response				
		N	%	YES		NO		No response
				N	%	N	%	N
Wish to return to institute.	Participant	31	97	30	97	1	3	1
Perception of participants' desire to return to institute.	Instructor	28	100	27	96	1	4	–
Perception of participants' actual return to institute.	Instructor	25	89	21	84	4	16	3
Share institute materials.	Participant	32	100	17	53	15	47	1
Perception of participants' use of institute materials.	Instructor	22	79	22	100	–	–	6
Use institute materials.	Instructor	27	96	23	85	4	15	1
Attempt to make institute-spurred personal changes.	Participant	32	100	23	72	9	28	–
Attempt to make institute-spurred organizational changes.	Participant	32	100	9	28	23	72	–
Recommend institute to others.	Participant	32	100	27	84	5	16	–

TABLE 10D

SOUNDNESS OF TRAINING DESIGN (AAJE)

Training Design Component	Type of Respondent	Number Responding	Category of Median Response	Frequency of Response					
				Not at all	Somewhat	Fairly well	Very well	Thoroughly	No Response
1. Degree based on profession's needs.	Participant	32 (100%)	Thoroughly	–	1 (3%)	1 (3%)	9 (28%)	21 (65%)	–
	Instructor	28 (100%)	Very well	–	–	3 (11%)	14 (50%)	11 (39%)	–
2. Degree individual's needs are considered.	Participant	31 (97%)	Very well	1 (3%)	6 (19%)	3 (10%)	13 (42%)	8 (25%)	1
	Instructor	27 (96%)	Very well	–	–	6 (22%)	12 (44%)	9 (33%)	1
3. Degree expected outcomes presented at outset of course.	Participant	28 (88%)	Very well	4 (14%)	3 (11%)	4 (14%)	14 (50%)	3 (11%)	4
	Instructor	25 (89%)	Fairly well	1 (4%)	4 (16%)	8 (32%)	7 (28%)	5 (20%)	3
4. Degree learning objectives clear and succinct.	Participant	27 (84%)	Very well	1 (4%)	7 (26%)	3 (11%)	11 (41%)	5 (19%)	5
	Instructor	28 (100%)	Very well	1 (4%)	4 (14%)	5 (18%)	9 (32%)	9 (32%)	–
5. Degree objectives are demonstrable.	Participant	31 (97%)	Very well	4 (13%)	2 (7%)	1 (3%)	11 (36%)	13 (42%)	1
	Instructor	26 (93%)	Very well	–	2 (8%)	6 (23%)	13 (50%)	5 (19%)	2
6. Degree training provides opportunities to practice what is taught.	Participant	31 (97%)	Very well	6 (19%)	3 (10%)	1 (3%)	7 (23%)	14 (45%)	1
	Instructor	26 (93%)	Very well/ Thoroughly	2 (8%)	1 (4%)	1 (4%)	9 (35%)	13 (50%)	2

TABLE 10D (Continued)

Training Design Component	Type of Respondent	Number Responding	Category of Median Response	Frequency of Response					
				Not at all	Somewhat	Fairly well	Very well	Thoroughly	No Response
7. Degree participant informed of progress.	Participant	31 (97%)	Fairly well	9 (29%)	3 (10%)	6 (19%)	3 (10%)	10 (32%)	1
	Instructor	24 (86%)	Very well	4 (17%)	2 (8%)	4 (17%)	11 (46%)	3 (13%)	4
8. Degree objectives, materials, and activities cohesive.	Participant	32 (100%)	Thoroughly	1 (3%)	–	1 (3%)	12 (38%)	18 (56%)	–
	Instructor	28 (100%)	Very well	–	1 (4%)	5 (18%)	14 (50%)	8 (29%)	–
9. Degree feedback/evaluation useful.	Participant	32 (100%)	Very well	5 (16%)	3 (10%)	4 (13%)	7 (22%)	13 (41%)	–
	Instructor	24 (86%)	Very well	1 (4%) (4%)	–	3 (13%)	11 (46%)	9 (38%)	4
10. Degree of opportunity to provide input to faculty.	Participant	32 (100%)	Very well	–	1 (3%)	4 (13%)	14 (44%)	13 (41%)	–
11. Degree training upgraded and modified in relation to current state of the art.	Instructor	26 (93%)	Thoroughly	–	–	2 (8%)	9 (35%)	15 (58%)	2

TABLE 11D
ADEQUACY OF THE TRAINING SETTING (AAJE)

Aspect	Type Of Respondent	Number/% Responding	Frequency of Response		
			Yes	No	No Response
1. Similarity of participants' roles/experience	Participant	32 (100%)	28 (88%)	4 (12%)	–
	Instructor	27 (96%)	27 (100%)	–	1
2. Sufficiently small classes	Participant	32 (100%)	31 (97%)	1 (3%)	–
	Instructor	28 (100%)	28 (100%)	–	–
3. Sufficiently long courses	Participant	32 (100%)	27 (84%)	5 (16%)	–
	Instructor	28 (100%)	26 (93%)	2 (7%)	–
4. Match between participant needs and instructor expertise	Participant	31 (97%)	31 (100%)	–	1
	Instructor	26 (93%)	26 (100%)	–	2
5. Availability of instructors outside of class	Participant	32 (100%)	30 (94%)	2 (6%)	–
	Instructor	26 (93%)	23 (88%)	3 (12%)	2
6. Sufficient number of contact hours between participants and instructors	Participant	32 (100%)	29 (91%)	3 (9%)	–
	Instructor	28 (100%)	28 (100%)	–	–
7. Reinforcement of behavior/skills	Instructor	26 (93%)	25 (96%)	1 (4%)	2
8. Adequate support services	Participant	30 (94%)	27 (90%)	3 (10%)	2
	Instructor	27 (96%)	23 (85%)	4 (15%)	1
9. Adequate physical accommodations	Participant	32 (100%)	31 (97%)	1 (3%)	–
	Instructor	27 (96%)	27 (100%)	–	1

TABLE 12D
MANAGEMENT OF TRAINING EVENTS (AAJE)

Aspect	CTP Instructor Response					
	Number Responding		Yes		No	
	N	%	N	%	N	%
1. Clarity of lines of authority/ responsibility	26	93%	23	88%	3	12%
2. Adequacy of administrative procedures	28	100%	23	82%	5	18%
3. Instructors appraised of performance/expectations	26	93%	23	88%	3	12%
4. Instructors given orientation/staff training	28	100%	21	75%	7	25%
5. Program modification based on assessment	22	79%	21	95%	1	5%

TABLE 13D

FREQUENCY OF METHODS USED (AAJE)

Method	Median Response	
	CTP Participant	CTP Instructor
1. Lectures	Often	Often
2. Discussion groups	Often	Most of the time
3. Panel discussions	Not at all	Some
4. Case studies	N/A	Often
5. Role playing, simulation	Not at all	Some
6. Videotaping	N/A	Some/Often
7. Moving pictures	N/A	Some
8. On-the-job training	N/A	Not at all
9. Computer Assisted Instruction	N/A	Not at all

TABLE 14D

PERCEIVED FACULTY COMPETENCE (AAJE)

			Frequency of Response					
Aspect	Number Responding	Category of Median Response	Totally Unknowledgeable	Minimally Knowledgeable	Adequate	Quite Knowledgeable	Expert	No Response
Degree of their substantive knowledge.	30 (94%)	Expert	1 (3%)	3 (10%)	1 (3%)	7 (23%)	18 (60%)	2
Extensiveness of their practical experience.	32 (100%)	Expert	–	–	2 (6%)	12 (38%)	18 (56%)	–
Teaching ability.	32 (100%)	Expert	–	1 (3%)	1 (3%)	12 (38%)	18 (56%)	–
			Not at all	Once or twice	Periodically	Often	Continually	No Response
Number times called upon staff/instructors since training for followup technical assistance.	32 (100%)	Not at all	20 (63%)	5 (16%)	4 (13%)	1 (3%)	2 (6%)	–

TABLE 15D

FACULTY FOLLOWUP/CONT. RELATIONSHIP (AAJE)

Number of Times	Called upon by CTP Participants		Invited back to Institute	
	N	%	N	%
None	4	16	0	0
1 – 5	13	52	13	50
6 – 10	3	12	7	27
11 – 25	3	12	2	8
Greater than 25	2	8	4	16

INTEREST IN TEACHING AGAIN

YES (%)	NO (%)
96	4

5. INSTITUTE FOR COURT MANAGEMENT

This report on the Institute for Court Management is based primarily on information obtained on a visit to the Institute in Denver, Colorado on December 11 and 12, 1978. A two-person study team conducted interviews with the Executive Director, Director of Continuing Education, Director for Administration and Planning, Program Coordinator, and the accountant. The study team also worked with administrative support staff who completed a number of data collection forms which documented activities, staffing, and budget.

All documents and records from the Institute were made available to the study team, including records of participant evaluations and minutes of the meetings of the Board of Trustees. Because of the voluminous nature of the documentation on program activities, these forms were completed by ICM staff after the study team departed, and were later mailed for incorporation into this report.

History of Institute

The Institute for Court Management (ICM) evolved in response to Chief Justice Warren E. Burger's 1969 speech to the American Bar Association (ABA) which cited a lack of professional management in the courts. As a result of this speech, a task force sponsored by the American Bar Association was formed to develop an educational program for court managers. With funding from the Johnson Foundation, the task force designed the Institute for Court Management and its initial educational curriculum.

Joining the ABA in sponsoring the Institute were the American Judicature Society and the Institute of Judicial Administration. Each of these organizations nominates four members to the Institute's Board of Trustees.

With a $750,000 grant from the Ford Foundation, the first class for the Court Executive Development Program (CEDP) began in June 1970 and was graduated in December 1970. Since 1972, classes in this core program have been funded, in part, by the Law Enforcement Assistance Administration (LEAA).

Since 1970, approximately 305 individuals have completed the intensive Court Executive Development Program and have been certified as Fellows of the Institute for Court Management. Sixty-three percent of the ICM Fellows are in administrative positions in Federal, state, and trial courts; another twenty-five percent work in allied fields; and the balance are no longer clearly within the field or are deceased.

Since its beginning, ICM has also developed additional educational programs to meet specific and ongoing needs, and has undertaken research activities in court management. *The Justice System Journal* has been published by the Institute since

1974, serving as a forum for an exchange of ideas and information about the entire justice arena.

Policy direction for the Institute is provided by the Board of Trustees which both initiates policy questions and responds to issues presented by the executive staff of the Institute. The current Executive Director of the Institute is Harvey E. Solomon, an ICM graduate, who assumed leadership in 1974. The Executive Director heads a staff or five professionals and five technical and administrative support staff, who are located in ICM's administrative offices in downtown Denver, Colorado, and one professional who works on a permanent, part-time basis from his home in California.

Current funding for the Institute is $582,000. Of that amount, 42% is generated by tuition and fees from its workshops and seminars, 39% by LEAA, 12% from contracts and consulting, and less than 10% from contributions and subscriptions. Programs partially funded by LEAA, such as the Court Executive Development Program, Strengthening the Executive Component of the Court, and other seminars, are so noted in the Institute's announcements and annual reports.

Goals and Objectives Of The Institute

From the outset the Institute has sought to improve the management of the courts, thereby enhancing the quality of justice in courts and increasing popular satisfaction with the administration of justice. Specific objectives cited by ICM are:

a. *To increase, store and disseminate reliable knowledge pertaining to effective and efficient court management, and to focus that knowledge on areas in need of improvement;*

b. *To build acceptance of the court management function and develop the profession of court management; and*

c. *To improve, through court management, popular satisfaction with the administration of justice.*

At its inception, the improvement of court management through improved business management practices was a primary goal of the Institute. Since 1974, the Institute has given increased attention to the relationship between judges and court administrators, and to the position of each in establishing goals and policies in the court.

Currently, the Institute is attempting to assess and reformulate its goals and objectives in terms of today's needs in court management and the needs of professionals in court management. Accordingly, the Institute's Director of Administration and Planning has undertaken a Delphi process survey on court administration, involving judges, administrators, academics, and advocates to assess needs and to consider alternatives in the Institute's mission. He has also prepared a detailed memorandum to the Program Development Committee of the Board of Trustees, documenting the Institute's history, its current target universe, and major policy alternatives.

Programs

Currently the Institute's activities consist of educational programs, publications, technical assistance, and court-related research. "Institute for Court Management Programs" lists the specific major areas of activity and number of participants in 1978.

COURT EXECUTIVE DEVELOPMENT PROGRAM

This program, the keystone of the ICM effort, is designed primarily for individuals who are now in, or in line for, key management positions in courts or closely related justice system agencies. Phase I, the Operational Side of Court Management, consists of five separate five-day workshops on these topics: Case Flow Management and Juror Utilization; Records, Systems, and Procedures; Information Processing Systems; Personnel Administration; Budget, Planning, and Financial Controls. Phase II includes a four-week residential seminar, a supervised study internship in a court system, and a final eight-day seminar. Certificates as Fellows of the Institute are awarded to those completing all requirements.

ADVANCED AND CONTINUING EDUCATION PROGRAM

Begun in 1975 and conducted in various parts of the country, these three- to five-day sessions focus on such topics as Courts and Community, Management for Supervisors, Pretrial Services, Advanced Jury Management, and Appellate Court Administration.

JUVENILE JUSTICE MANAGEMENT

Basic and advanced seminars are offered in court management for juvenile courts. Topics for the six-day seminars include: organization and structure of juvenile justice, budget planning and management, caseflow and caseload management, personnel and probation management, and juvenile court law.

STRENGTHENING THE EXECUTIVE COMPONENT OF THE COURT

This three-day seminar is an example of the Institute's efforts to develop innovative approaches and strategies. This LEAA-supported endeavor seeks to bring together teams of judges and court administrators from the same court to develop problem-solving skills, to plan, and to develop working relationships which continue after the conference.

TECHNICAL ASSISTANCE: IN-STATE TRAINING PROGRAMS

ICM provides workshops specifically tailored to the needs of states and other jurisdictions under contractual agreement with them. The contracting groups are involved in advance in setting the goals and objectives of the training they are requesting, thus gaining "ownership" of the program. In 1978, specialized training was provided in four jurisdictions in the States of Montana, Virginia, Pennsylvania, and Georgia.

Institute for Court Management Programs

Activity	Purpose/Target Group	Duration	Participants
1. Court Executive Development Program	Comprehensive court management training for individuals currently in, or in line for, key management positions in courts or closely related justice system agencies.	2 years	
Phase I: Technology Workshops (5)		5 days each	193
Phase II: Seminar		28 days	24
Internship		65 days (equivalent no. working days)	
Final Seminar		8 days	32
2. Advanced and Continuing Education Program	For individuals with some training and experience seeking specialized knowledge in a particular field or an update in technical and administrative issues.	3-5 days	479
3. Juvenile Justice Management	Geared to organizational and managerial improvement of the juvenile court system.	6 days	67
4. Strengthening the Executive Component of the Court	For teams of administrative judges and court administrators to improve problem-solving skills.	3 days	40
5. Technical Assistance (In-State Training Programs)	Special program specifically designed and tailored to the needs of particular groups.	3-5 days	192
6. *The Justice System Journal*	A forum for the exchange of ideas and information on court-related issues.	3 issues yearly	Approx. 800 Subscriptions
7. Research: Misdemeanor Court Management Project	To identify shortcomings in misdemeanor court management and to propose innovations to meet certain needs.	ongoing through 12/79	

The Justice System Journal: In 1974 the Institute initiated this publication with the twofold purpose of providing a forum for the exchange of ideas and information, as well as an ingredient in the development of the profession of court manager.

Research: Once a major activity of the Institute, research now constitutes a relatively small portion of ICM's time and resources. Current and recent research projects include the Misdemeanor Court Management Project and the West Virginia Jury Management Study. (More recently, ICM says it has taken steps to expand its research activities.)

In addition to these activities, ICM staff respond to inquiries from graduates and the general public, serve as resource persons and speakers at conferences and symposia, serve on advisory groups, and do short-term technical assistance evaluations.

Program Trends: While the major goal of the Institute, to improve the management of the courts, has not changed during recent years, the Institute has increased the number of workshops and seminars offered, expanded the variety of topics presented, and experienced a broader range of positions, skills, and interests among the participants.

The increased number of workshops and the expanded variety of topics are related to the initiation in 1975 of the Advanced and Continuing Education Program and in 1977 of the Strengthening the Executive Component of the Court Program. About 50% of all the seminars conducted within these programs have been financially supported by LEAA funds. During this same period, the Institute began to conduct a number of educational programs based on technical assistance contracts with state and local court systems.

The level of participants has shifted, in part, not only because of the new offerings, but also because the Institute recognized the need to contact a larger number of people who were associated with the many administrative processes taking place in courts. Originally the primary focus of the Institute's educational program centered on the senior administrative positions. By 1974 it became apparent that senior-level employees had to depend on middle management to implement and monitor processes essential to the functioning of the courts. It also became apparent that some of the middle management people were being promoted to more senior positions or had aspirations for such promotions. For these sorts of reasons, the Institute adjusted its perspective to encompass this broader range of positions, skills, and interests among participants. The participants in the technical assistance activities, of course, are largely determined by the contracting party.

Needs Assessment: The Institute utilizes a variety of mechanisms to assess the needs of the target audience: court administrators and related personnel. In 1976, a survey of the graduates of the Court Executive Development Program was used to identify topics in which additional training was needed. Current and recent studies and court cases also provide ICM with insights into the needs of court systems and the needs of administrators within the courts. Currently, the Institute is undertaking a large-scale Delphi exercise on the purposes of court administration, consulting with administrators, judges, academics, and advocates. Participant evaluations and staff monitoring of sessions also provide insights into the needs of court administrators.

Additionally, the Board of Trustee's Program Development Committee, the staff, and unsolicited advice from former participants contribute to the Institute's identification of needs.

Curriculum Development: The curriculum development process is closely dependent upon the formal and informal mechanisms for needs assessment. Once courses or topics are identified, learning objectives are formulated, faculty is selected, and presentations and exercises are developed. A major variation from this pattern is the in-state training provided upon request to states and local jurisdictions. In this instance, the requesting agency determines the needs and participates in identifying the desired objectives.

The underlying philosophy of training which guides the Institute's curriculum development is based on Malcolm Knowles' concept of "androgogy." Professor Knowles proposes an androgogy approach, i.e., treating participants as adults with a contribution to make to the learning process rather than as children (pedagogy). Accordingly, workshops and seminars allow for interaction and exchange of ideas. As ICM's Director put it: "We're not trying to lay it on anybody." (The training workshop we observed utilized this approach with the result of total involvement by the trainees.)

In developing the curriculum, the Institute's program directors negotiate and interface with the respective persons selected for the faculty. These discussions are based almost entirely upon a verbal understanding of the Institute's philosophy and approach to training; there are no written guidelines for these faculty to follow.

Faculty Selection: Criteria for selecting faculty are:

- *Knowledge about the profession of court manager or of a particular topic area (together with the ability to relate the knowledge to the courts);*
- *The ability to conceptualize problems and design exercises;*
- *Willingness to work with the Institute in the design of a course; and*
- *Good interpersonal skills.*

Increasingly, ICM is becoming aware of the need to identify professionals who have the ability to teach. Mechanisms for recruiting faculty are chiefly contacts through graduates and former participants, other faculty members, and national organizations.

Permanent Staff: The Institute's permanent staff consists of 11 members: six professional and five clerical or semi-professional. Permanent staff with responsibility for program design, development, and delivery are:

- *The Executive Director is responsible for Phase I of the Court Executive Development Program, oversees Phase II, and participates in Juvenile Justice Management and in the Strengthening the Executive Component of the Court Program.*

- *The Assistant Executive Director is responsible for the Juvenile Justice Management Program, Probation and Managing Criminal Case seminars, and is the principal researcher for the Misdemeanor Court Management Research Project.*

- *The Director of Continuing Education directs the Advanced and Continuing Education Program, the In-State Programs, and also participates in research on the National Study of Misdemeanor Courts.*

- *The Director of Administration and Planning serves as a faculty member for a variety of workshops and seminars. He is also responsible for interfacing with the Board of Trustees and the Executive Director with respect to planning overall program policy.*

- *The Staff Associate for Court Management Programs coordinates Phase II of the Court Executive Development Program, is co-leader of the Juvenile Justice Mangement Program, edits* **The Justice System Journal,** *is a faculty member for some In-State and Advanced and Continuing Education Program seminars.*

A summary profile of the staff is provided in "Summary of Permanent Staff Characteristics." Roughly 13 percent of professional staff time and 77 percent of classified staff time is spent on administration of the Institute. The typical professional spends 16 percent on curriculum development, 25 percent on seminar management and participation, 19 percent on research and publications, 14 percent on materials development, and 12 percent on marketing. (This information applies to the status of the permanent staff as it existed at the time of our visit to ICM and does not reflect the staff changes which have been made subsequently.)

Effectiveness

Marketing of programs and selection of Trainees: According to the *National Manpower Survey of the Criminal Justice System* (1978), there are 455 state and trial court administrators, 49 at the state level and 406 at the trial level. On the average, the trial court administrators have five professional assistants and the state court administrators have an average of 12.6. Although there are no comparable figures for Federal courts, ICM estimates that there are about 200 middle- and senior-level personnel in the Federal administrative structure. Additionally, ICM estimates that 300 staff from criminal justice agencies, universities, private consulting firms, and state appellate courts also fall within this middle- and senior-level category. Thus, approximately 3,600 middle- and senior-level managers constitute ICM's target population. Extending this universe to include clerks of court and judges' administrative assistants, an additional 2,000 persons potentially might be included. Given this rough estimate of the target universe, ICM served 18% in 1977 and 18% in 1978.

It should be noted that because there are no recognized standards or qualifications for many of the existing positions, there are no recognized, external incentives for these staff to seek out programs like those offered by the Institute.

Summary of Permanent Staff Characteristics

Characteristics	Professional Staff (N=6)	Classified Staff (N=5)
Percentage with Baccalaureate	100%	40%
Percentage with Graduate Degree	83%	-
Teaching Experience (Average Years)	8	
Justice Practice Experience (Average Years)	12	2.2
Years with the Institute (Mean)	5.5	2.2
Annual Salary (Mean)	$31,720	$12,242
Age (Mean)	42	28
Male/Female Ratio	5/1	1/4
Racial/Ethnic Representation	White	White

Initially, the Institute trained a number of persons who had not had experience in the court systems. Increasingly, ICM has served those personnel with experience in the system, particularly those already employed in courts managment positions.

ICM officials admit that the Institute has not excelled in marketing its services in recent years.

While in the early 1970's there was a strong demand for the Court Executive Development Program (300 applicants for 30 slots), that demand has diminished owing to the decreased number of court management positions. At the same time, the Institute has adapted its marketing strategies to target those currently in the middle and lower administrative positions who will be assuming greater levels of responsibility in the coming years.

According to ICM officials, the demand for training in the basic technology of courts management has leveled off. The advanced and continuing education and in-state educational programs are experiencing steady growth in demand.

While the upcoming marketing strategy awaits the results of the overall needs assessment conducted by the Institute, the Institute currently maintains an open enrollment policy except for Phase II of the Court Executive Development Program. The Board of Trustees has requested that non-college graduates be no more than 10% of the enrollment in this latter program.

Accordingly, criteria for selection of trainees, while basically "open," considers: (1) balance in the program according to geographic representation, type of courts, etc.; (2) racial and sex balance; (3) representation from associated agencies; and (4) educational background.

Monitoring and Assessment of Programs: The Institute employs several mechanisms to assess program effectiveness including:

- *The amount of response to a course offering which is a major index of the value of the subject area to the prospective universe; and*

- *End-of-workshop evaluations which critique the value of the course and the performance of the instructors on an anonymous basis.*

With respect to end-of-workshop evaluations, the Institute, until recently, used a one-page overall program evaluation which utilized rating scales and open-ended questions. This was augmented by a one-page evaluation for each presentation which rated separately the faculty, subject matter, and written materials. The new evaluation form is a three-page summary which rates the general program, overall relevance of individual faculty and their topics, and elicits comments on improvements needed, materials, and logistics. The study team also noted a more detailed evaluation form which was used for the Workshop on Strengthening the Executive Component of the Court. This instrument focused on attitudinal, knowledge, and behavioral outcomes with respect to each session and in light of the stated purpose of the session.

Tabulations of the results of each of these evaluation forms are compiled by Institute staff and are used to assess topic relevance, faculty performance, and future programming.

Outside Evaluations: Two outside evaluations of the Institute and one tangential survey have been performed in recent years. The first, included in the ***National Center for State Courts Evaluation Report on Package Institutions*** (1974), noted the following points:

- *ICM appears suited to meet the current needs of state court personnel in mid- and top-level management positions.*
- *The Institute should be prepared to offer its four- and five-week sessions at other times during the year (apart from summer).*
- *There is no apparent overlap between the offerings of university courses in court management and the Institute. ICM might, however, consider formalizing its role as a provider of residency-type experience for graduates of court administration programs in universities, thus providing a dimension of practical orientation.*
- *The Institute ought to be formally involved in the activities of the National Judicial College (formerly the National College of the State Judiciary) and the American Academy of Judicial Education.*
- *There ought to be a greater degree of cross-fertilization between ICM and the National College of Juvenile Justice.*
- *ICM ought to form a committee to develop programs for the upcoming year(s).*

The second evaluation was a follow-up case study on 14 ICM graduates who had been in senior court management positions for at least a year following completion of the course. This study, entitled ***Training for Court Executives: A Preliminary Assessment of An Institute for Court Management Program***, was performed by Stanley J. Heginbotham and Jill A. Friedman for the National Center for State Courts in 1976. This brief report pointed up numerous concrete indications of changes in procedures, activities, and equipment in court systems which were directly attributable to ICM training. Impacts on the court system cited as a result of these changes included reduction in time to select juries, and reduction in transcript backlogs and court costs.

The National Manpower Survey of the Criminal Justice System (1978) recommended that ICM:

- *Put increased emphasis on certain managerial skills, notably in the techniques for program review and evaluation; and*
- *Expand regional training services on more advanced management topics.*

Other Institute Activities

External Relations: The Institute regularly works in cooperation with a variety of agencies and organizations. ICM's sponsorship by three organizations, the American Bar Association, the American Judicature Society, and the Institute of Judicial Administration, has linked the Institute with these groups since its inception.

In its research activities the Institute has co-ventured with the American Judicature Society in the Misdemeanor Court Management Project.

In developing its courses, the Institute has utilized the resources of groups such as the National Center for State Courts and the National Pretrial Resource Center for substantive inputs and referrals to resource persons.

The Juvenile Justice Management Program has been co-sponsored since its inception by the National Council on Crime and Delinquency and the Institute of Judicial Administration.

Two years ago, the Institute conducted the education portion of the National Association of Court Administrators' national convention.

Together with the University of Denver Law School, ICM conducted a 37-person conference on court administration for the Conference of State Court Administrators. The conference was jointly planned and jointly conducted.

Workshops and seminars conducted for states and local jurisdictions are, in effect, co-ventures with the requesting parties inasmuch as they are jointly planned and sponsored.

In the past, ICM has discussed and planned co-ventured activity on court management with the National Judicial College (NJC). According to ICM officials, the coventure never materialized because of an impasse over financial arrangements. ICM staff anticipate, however, the possibility of joint activity in the near future with NJC. At the very least, ICM hopes to coordinate the presentation of courses dealing with aspects of court management.

Alumni Development: With approximately 305 Fellows of the Institute and hundreds of other former participants currently working in Federal, state, and trial court systems and in allied fields, the Institute has a valuable resource to draw upon. Some graduates serve as instructors for current programs; others provide advice and referrals for content or instructors for the programs. The Institute has an Advisory Council of Alumni Fellows which serves as a formal link to its graduates. ICM has surveyed its graduates to determine current needs and to document examples of applications of the results of its training programs. Thus, the alumni are a critical resource for needs assessment and for marketing information. Additionally, graduates will contact the Institute to give or to obtain advice, or to make a financial contribution.

The Institute has recently initiated a new program activity designed especially for graduates. These Renewal Seminars will be held approximately three times per year,

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sometimes in connection with annual professional meetings such as the National Association of Court Administration and the National Association of Trial Court Administrators.

Program and Related Costs

The Institute's overall revenues and expenditures have remained fairly constant over the past several years—at approximately $580,000 per year. "ICM Budgets, 1976-1978" displays the budgets by major line items for the years 1976-1978. Only in 1977 is there a significant variation—an unexpended balance of $45,905. The figures also indicate that the percentage of budget allocated to salaries and fringes has increased steadily from 42 percent in 1976 to 48 percent in 1978, whereas the amount spent on contractual services declined from 18 percent to 11 percent during the same period.

The activities undertaken by the Institute over the past two years are summarized in "ICM Activities Analysis." A comparison of the 1977 and 1978 activities indicates that the cost per participant has risen from $424 to $462. This increase appears to be related to an expansion of the more expensive course on Strengthening the Executive Component of the Court, and generally increased costs associated with the Court Executive Development Program, Advanced and Continuing Education, and In-State Training. With the exception of the Phase II of the Court Executive Development Program and the Strengthening the Executive Component of the Court Program, ICM seminars generally cost between $60 and $96 per participant day, excluding participant travel.

Management

Policy Planning: Program and administrative policy for the Institute are set by its 12-member Board of Trustees which is appointed by the American Bar Association, the American Judicature Society, and the Institute of Judicial Administration. The Board has an Executive Committee, a Program Development Committee, and a Finance Committee. Since 1974, the Board, under Chairman Earl F. Morris, has directed the executive staff to propose program alternatives, budgets, and salaries of staff over $25,000 per year. Based on the staff proposals, the Board deliberates and enacts policy. The Board exercises strict control over ICM policy, particularly over the budget. Minutes of the Board meetings are carefully kept, and reflect thorough fact finding and deliberate decisions. The Board not only reacts to staff proposals, but also initiates questions involving Institute objectives and policy.

The Budget Process: In early June, the Institute staff prepares a tentative program for the following calendar year. This program is adjusted and refined during the ensuing weeks. The staff requirements for this program are then mapped out allowing 230 days for a person-year. Tentative budgets for each program area are prepared and the staff reviews them, negotiates and finally translates the resulting package into a proposed budget. The budget is presented to the Board and its Finance Committee in November. The Institute's Director for Administration and Planning then meets with the Finance Committee to go over the proposed budget and adjustments may be made. The Board of Trustees meets in December to review, adjust (if necessary), and adopt

ICM Budgets, 1976–1978

BUDGET	1976	1977	1978
1. **Revenue**			
Tuition/Fees	$231,329	$266,175	$241,600
LEAA Funding	183,459	199,349	227,000
Contracts and Consulting	125,943	71,822	72,100
Contributions	20,380	28,740	20,000
Subscriptions and Other	23,756	21,740	22,400
Total	$584,867	$587,826	$583,100
2. **Expenditures**			
Salaries, Wages			
Direct	$175,049	$161,332	$184,686
Indirect	38,691	42,918	39,976
Fringe Benefits	25,913	37,936	43,809
Communications	12,327	11,044	11,000
Travel and Subsistence			
Direct	78,413	79,036	84,900
Administrative	9,285	6,558	8,054
Contractual Services			
Direct	93,013	71,172	57,550
Administrative	6,998	7,300	6,750
Supplies and Materials	50,283	43,447	42,600
Current Fixed Charges (e.g., rent)	76,288	81,178	82,975
Total Expenditures	566,260	541,921	562,300
Unexpended Balance	$ 18,607	$ 45,905	$ 20,800

ICM Activities Analysis, 1978

Activity (N)	Number of Participants	Total Costs*	Cost Per Participant	Cost Per Participant Day*
Court Executive Development				
Phase I (5)	193	$ 65,451	$ 339	$ 68
Phase II	56	119,070	2,126	NA**
Juvenile Justice Management (3)	67	28,852	430	86
Strengthening the Executive Component of the Court (2)	40	48,748	1,218	406
Advanced and Continuing Education Programs (14)	479	143,475	300	92
Technical Assistance Seminars and Workshops (5)	192	69,130	360	96
TOTALS (29)	1,027	$474,726	$462	

*Excludes participant travel for all seminars except Executive Component of the Court.

**Because of the supervised internship, it is impossible to calculate the precise costs per participant day for the Phase II of the CEDP.

ICM Activities Analysis, 1978 (cont.)

Activity (N)	Number of Participants	Total Costs*	Cost Per Participant	Cost Per Participant Day*
Court Executive Development				
Phase I (7)	292	$ 86,764	$ 297	$ 59
Phase II	75	149,472	1,992	NA**
Juvenile Justice Management (3)	73	26,765	367	73
Strengthening the Executive Component of the Court (1)	20	23,854	1,193	397
Advanced and Continuing Education Programs (10)	391	84,023	215	66
Technical Assistance Seminars and Workshops (5)	171	62,828	367	73
TOTALS (26)	1,022	$433,706	$ 424	

*Excludes participant travel for all seminars except Executive Component of the Court.

**Because of the supervised internship, it is impossible to calculate the precise costs per participant day for the Phase II of the CEDP.

the final budget. In the event that the Executive Director feels the need to modify or reallocate budget line items during the fiscal year, he refers the matter to the Board for a decision. According to ICM staff, the budget process is "slightly out of kilter" in that the Institute's fiscal year coincides with the calendar year, whereas the LEAA funding, which currently constitutes 39% of the budget, runs from July to June.

Organization: The Institute's executive staff consists of an executive director, an assistant executive director, and two department directors and a program coordinator. While the Institute has by-laws and policies developed for travel and personnel, it does not have a comprehensive set of administrative policies. Similarly, there are procedural checklists for workshop development and logistics, but there is no comprehensive procedural manual. The executive director delegates authority and responsibility among the executive staff.

As we mentioned previously, the Institute's statement of mission and functions is currently under review. A *de facto* statement of its mission and functions is contained in the annual report and brochure.

The management information system maintained by the Institute consists chiefly of budget and fiscal information, including staffing allocations, program performance information, and participant lists. While it is not an elaborate system, Institute officials are able to find what they need to know to manage the programs.

Personnel: Employment policies have been developed specifically for the Institute. They contain provisions for recruitment, salary classifications, salary increases, benefits, etc. There are no explicit provisions for discipline or grievance. Clerical and semi-professional staff evaluations are prescribed by the Employee Performance Review Policy and take place every six months. Professional staff evaluations take place once a year as part of the annual budget cycle with the Board of Trustees.

Clerical staff and semi-professional staff are recruited and hired from the general population in the Denver metropolitan area. Salary classifications correspond to those of the city and county governments. Professional staff are recruited and hired on a national basis for a particular job designated by the Institute. Institute officials maintain that ICM has taken affirmative action steps to recruit and hire minorities—including the specification that more than 50% of all candidates be minority, and that selection criteria be modified for minority applicants. At the present time, the Institute has no minorities on the staff, but during the past two years two minorities have been hired who later resigned at employment intervals of three months and one year.

Fiscal Management: Fiscal management of the Institute is under the direction of the Director for Administration and Planning, and is managed by an accountant and an administrative clerk. All budgets are approved by the Board of Trustees. Books are kept as in a for-profit organization (even though the Institute is nonprofit). A project cost accounting system is used, with subsidiary ledgers for each project by revenue and expense categories. Control points in the system are accounts receivable, expense control, income control, the checking account, and work in progress. An annual audit is performed by an outside firm. All checks are signed by two staff. Payroll is handled by the accounting staff, with the requirement that all checks have two signatures. All Federal checks are deposited in a non-interest bearing checking account. All accounts are maintained by project, but restricted and unrestricted funds are comingled. The few travel advances are paid from a general ledger account. An imprest account of $50 is maintained for petty cash disbursements.

Property management and inventory are maintained by the accountant; the inventory is performed on an annual basis. The Director for Administration and Planning handles all equipment rentals and purchases. Maintenance contracts are in force for the typewriters, copy machine, and postage meter.

Locator Systems: The Institute has a moderate-sized library which was inventoried and arranged by a librarian and is now maintained by the bookkeeper. Volumes and periodicals in the library are concerned largely with court systems, criminal justice systems, and other topics related to court management. While the materials appeared to be easily accessible and kept up to date, ICM staff admitted that they did not regularly use this resource.

Challenges and Future Directions

While the Institute is currently re-assessing its goals and objectives, and a clear picture of future directions is still a few months away, ICM officials were able to identify a number of needs which must be met:

- *More research and understanding about the executive side of management is required, particularly in view of the possible trend toward court unification. In this regard, a "standards" approach is not adequate—the human element must also be considered.*
- *Further development and expansion of the executive team approach to courts training is necessary, i.e., bringing together the presiding judge and the court manager in the same seminar sessions.*
- *For the 1980's, court management training will tend to separate the court operations aspect from the executive management aspect.*
- *While a clearer picture of the universe of clerks of court is needed, it appears that training of this group is an important objective because in many cases they are the de facto managers of the courts.*
- *According to Institute officials, ICM has no way of knowing whether its graduates have the skills required. They are looking to the current evaluation of Courts Training Projects for some indication of how to go about assessing this effect.*

In addition to these needs, Institute staff also identified some potentially useful avenues of exploration, including a follow-up on its early graduates, courses for college/university professors in court management, and identifying and officially recognizing outstanding court systems.

Training Objectives/ Perceived Effectiveness

ICM and the instructors surveyed are in agreement as to the priority objectives of training, but the instructors demonstrate an unenthusiastic perception of what they are achieving (*Table 8E*).

While both participants and instructors give moderately high ratings to the effectiveness of ICM. in terms of the multiplier effects listed in *Table 9E*, lower ratings show up in the following areas:

- *Thirty-four percent of the trainees do not share training materials with others in their jurisdiction;*
- *Forty-six percent of the participants do not attempt to make any personal changes in the way they perform their duties as a result of training; and*
- *Twenty-two percent of the trainees do not recommend ICM to others.*

While the relevance of ICM training gets generally high praise from participants and instructors surveyed, more individuals are critical of the training programs than at any of the other seven institutes.

As for soundness of training design, participants and instructors alike give it "passing grades" (see *Table 10E*).

Training Setting, Techniques and Faculty

In judging the adequacy of the training setting at ICM, participants and instructors are generally complimentary except for one critical area. Some feel there is a poor mixing of trainees in terms of their professional roles and experience (see *Table 11E*).

The instructors are generally laudatory of training events management, but 46 percent express dissatisfaction with the degree of orientation and training they are given and, to a lesser extent, with a failure to receive appraisals of their performance. (See *Table 12E*). (These data agree with our initial finding during the Institute visit that ICM does not adequately assist instructors in setting performance objectives and instructional methodologies.)

Instructors and participants agree that lectures and discussion groups constitute the most used teaching methods (*Table 13E*), and trainees find lectures far more useful than discussion groups. They do, however, attach value to informal discussions with peers and faculty outside the classroom setting.

Faculty are given high ratings by participants in the areas of substantive knowledge, practical experience, and teaching ability (*Table 14E*), and the instructors tend to be invited back quite often (*Table 15E*).

TABLE 8E
INSTRUCTORS' PERCEPTIONS OF LEARNING OBJECTIVES (ICM)

	Perceived Achievement	
Objective	Average Priority Rating (1-High; 7-Low)	Category of Median Response
1. Update and increase participants' substantive knowledge.	2.48	Fairly Well
2. Improve participants proficiency in their roles.	2.92	Fairly Well
3. Enable participants to introduce new techniques and procedures in their systems.	3.16	Fairly Well/ Very well
4. Enhance participants' understanding of their roles.	3.28	Fairly Well
5. Enable participants to influence/promote change among other courts personnel.	3.60	Fairly Well
6. Increase communication and consultation among professional peers/colleagues.	4.48	Fairly Well

TABLE 9E

MULTIPLIER EFFECTS (ICM)

Aspect	Type of Respondent	Number/% Responding		Frequency of Response				
		N	%	YES		NO		No response
				N	%	N	%	N
Wish to return to institute.	Participant	60	98	52	87	8	13	1
Perception of participants' desire to return to institute.	Instructor	28	100	26	93	2	7	–
Perception of participants' actual return to institute.	Instructor	25	89	25	100	–	–	3
Share institute materials.	Participant	59	97	39	66	20	34	2
Perception of participants' use of institute materials.	Instructor	25	89	24	96	1	4	3
Use institute materials.	Instructor	27	96	22	81	5	19	1
Attempt to make institute-spurred personal changes.	Participant	56	92	30	54	26	46	5
Attempt to make institute-spurred organizational changes.	Participant	56	92	34	61	22	39	5
Recommend institute to others.	Participant	59	97	46	78	13	22	2

TABLE 10E

SOUNDNESS OF TRAINING DESIGN (ICM)

Training Design Component	Type of Respondent	Number Responding	Category of Median Response	Frequency of Response					
				Not at all	Somewhat	Fairly well	Very well	Thoroughly	No Response
1. Degree based on profession's needs.	Participant	58 (95%)	Very well	3 (5%)	7 (12%)	14 (24%)	19 (33%)	15 (26%)	3
	Instructor	27 (96%)	Very well	–	1 (4%)	9 (33%)	15 (56%)	2 (7%)	1
2. Degree individual's needs are considered.	Participant	60 (98%)	Fairly well	10 (17%)	13 (21%)	19 (32%)	16 (27%)	2 (3%)	1
	Instructor	28 (100%)	Very well	–	2 (7%)	7 (25%)	17 (61%)	2 (7%)	–
3. Degree expected outcomes presented at outset of course.	Participant	59 (97%)	Fairly well	10 (17%)	10 (17%)	15 (25%)	16 (27%)	8 (14%)	2
	Instructor	26 (93%)	Very well	1 (4%)	3 (12%)	4 (42%)	6 (23%)	5 (19%)	2
4. Degree learning objectives clear and succinct.	Participant	57 (93%)	Fairly well	7 (12%)	15 (26%)	10 (18%)	16 (28%)	9 (16%)	4
	Instructor	26 (93%)	Very well	–	4 (15%)	7 (27%)	14 (54%)	1 (4%)	2
5. Degree objectives are demonstrable.	Participant	58 (95%)	Fairly well	13 (22%)	13 (22%)	11 (19%)	15 (26%)	6 (10%)	3
	Instructor	26 (93%)	Fairly well	1 (4%)	3 (12%)	12 (46%)	9 (35%)	1 (4%)	2
6. Degree training provides opportunities to practice what is taught.	Participant	59 (97%)	Fairly well	12 (20%)	12 (20%)	10 (17%)	15 (25%)	10 (17%)	2
	Instructor	28 (100%)	Fairly well	–	4 (14%)	11 (39%)	11 (39%)	2 (7%)	–

TABLE 10E (Continued)

SOUNDNESS OF TRAINING DESIGN (ICM)

Training Design Component	Type of Respondent	Number Responding	Category of Median Response	Frequency of Response					
				Not at all	Somewhat	Fairly well	Very well	Thoroughly	No Response
7. Degree participant informed of progress.	Participant	54 (88%)	Not at all	26 (48%)	12 (22%)	7 (13%)	7 (13%)	2 (4%)	7
	Instructor	24 (86%)	Fairly well	2 (8%)	7 (29%)	9 (38%)	4 (17%)	2 (8%)	4
8. Degree objectives, materials, and activities cohesive.	Participant	59 (97%)	Very well	1 (2%)	9 (15%)	8 (14%)	27 (46%)	14 (24%)	2
	Instructor	26 (93%)	Very well	–	2 (7%)	6 (23%)	13 (50%)	14 (19%)	2
9. Degree feedback/ evaluation useful.	Participant	57 (93%)	Fairly well	14 (25%)	8 (14%)	10 (18%)	20 (35%)	5 (9%)	4
	Instructor	25 (89%)	Very well	–	6 (24%)	3 (12%)	12 (48%)	4 (16%)	3
10. Degree of opportunity to provide input to faculty.	Participant	60 (98%)	Very well	1 (2%)	10 (17%)	8 (13%)	26 (43%)	15 (25%)	1
11. Degree training upgraded and modified in relation to current state of the art.	Instructor	26 (93%)	Very well	–	1 (4%)	6 (23%)	11 (42%)	8 (31%)	2

TABLE 11E
ADEQUACY OF THE TRAINING SETTING (ICM)

Aspect	Type Of Respondent	Number/% Responding	Frequency of Response		
			Yes	No	No Response
1. Similarity of participants' roles/experience	Participant	59 (97%)	33 (56%)	26 (44%)	2
	Instructor	28 (100%)	21 (75%)	7 (25%)	–
2. Sufficiently small classes	Participant	59 (97%)	51 (86%)	8 (14%)	2
	Instructor	28 (100%)	26 (93%)	2 (7%)	–
3. Sufficiently long courses	Participant	57 (93%)	47 (82%)	10 (18%)	4
	Instructor	28 (100%)	23 (82%)	5 (18%)	–
4. Match between participant needs and instructor expertise	Participant	56 (92%)	43 (77%)	13 (23%)	5
	Instructor	27 (96%)	26 (96%)	1 (4%)	1
5. Availability of instructors outside of class	Participant	58 (95%)	54 (93%)	4 (7%)	3
	Instructor	27 (96%)	25 (93%)	2 (7%)	1
6. Sufficient number of contact hours between participants and instructors	Participant	60 (98%)	55 (92%)	5 (8%)	1
	Instructor	27 (96%)	23 (85%)	4 (15%)	1
7. Reinforcement of behavior/skills	Instructor	27 (96%)	24 (89%)	3 (11%)	1
8. Adequate support services	Participant	60 (98%)	56 (93%)	4 (7%)	–
	Instructor	27 (96%)	27 (100%)	–	1
9. Adequate physical accommodations	Participant	61 (100%)	59 (97%)	2 (3%)	–
	Instructor	27 (96%)	27 (100%)	–	1

TABLE 12E
MANAGEMENT OF TRAINING EVENTS (ICM)

Aspect	CTP Instructor Response					
	Number Responding		Yes		No	
	N	%	N	%	N	%
1. Clarity of lines of authority/responsibility	27	96%	25	93%	2	7%
2. Adequacy of administrative procedures	28	100%	28	100%	–	
3. Instructors appraised of performance/expectations	28	100%	23	82%	5	18%
4. Instructors given orientation/staff training	26	93%	14	54%	12	46%
5. Program modification based on assessment	22	79%	21	95%	1	5%

TABLE 13E

FREQUENCY OF METHODS USED (ICM)

Method		Median Response	
		CTP Participant	CTP Instructor
1.	Lectures	Most of the time	Often
2.	Discussion groups	Often	Often
3.	Panel discussions	Not at all	Some
4.	Case studies	N/A	Some
5.	Role playing, simulation	Not at all	Some
6.	Videotaping	N/A	Not at all
7.	Moving pictures	N/A	Not at all
8.	On-the-job training	N/A	Not at all
9.	Computer Assisted Instruction	N/A	Not at all

TABLE 14E

PERCEIVED FACULTY COMPETENCE (ICM)

Aspect	Number Responding	Category of Median Response	Frequency of Response Totally Unknowledgeable	Minimally Knowledgeable	Adequate	Quite Knowledgeable	Expert	No Response
Degree of their substantive knowledge.	58 (95%)	Quite Knowledgeable	–	2 (3%)	6 (10%)	27 (47%)	23 (40%)	3
Extensiveness of their practical experience.	58 (95%)	Quite Knowledgeable	–	4 (7%)	6 (10%)	25 (43%)	23 (40%)	3
Teaching ability.	56 (92%)	Quite Knowledgeable	1 (2%)	2 (4%)	13 (23%)	28 (50%)	12 (21%)	5
			Not at all	**Once or twice**	**Periodically**	**Often**	**Continually**	**No Response**
Number times called upon staff/instructors since training for followup technical assistance.	60 (98%)	Not at all	42 (70%)	9 (15%)	6 (10%)	3 (5%)	–	1

TABLE 15E

FACULTY FOLLOWUP/CONT. RELATIONSHIP (ICM)

Number of Times	Called upon by CTP Participants		Invited back to Institute	
	N	%	N	%
None	4	15	5	19
1 – 5	11	42	12	44
6 – 10	2	8	8	30
11 – 25	3	11	2	7
Greater than 25	6	24	0	0

INTEREST IN TEACHING AGAIN

YES (%)	NO (%)
100	0

6. NATIONAL COLLEGE OF DISTRICT ATTORNEYS

The National College of District Attorneys located at the Bates College of Law of the University of Houston, was visited on December 19 and 20, 1978 by a two-person interview team. The site visit was initiated with the Administrative Assistant, who described the management procedures of the office and introduced the team to the staff.

The team met with the Dean and Assistant Dean to explain the purpose of the study and the goals of the visit. A detailed interview reviewing the history of the institution, its present goals and staff was conducted with the Dean, using the project director questionnaire as a guide. Subsequent interviews were held with the Assistant Dean, Director of Training, Director of Course Development, and Research Attorney. Interviews were also conducted with the Financial Manager, Communications Manager and Registrar. At the conclusion of the visit, the project team requested additional information which was not readily available at that time.

A number of documents were reviewed, including faculty handbooks, procedures manual for personnel, Curriculum Committee minutes, as well as National College catalogs and brochures. Subsequent to the visit, staff members completed instruments regarding staff, faculty and financial statistics to satisfy the information needs.

History of the Institution

The National College of District Attorneys was created in response to recommendations made by the President's Commission on Law Enforcement and Administration of Justice. Several groups, including representatives from the National District Attorneys Association, the American Bar Association, the American College of Trial Lawyers and the International Academy of Trial Lawyers, met in 1969 to consider the creation of a school for prosecutors. As a result, the first program, the Career Prosecutor Course, was offered in the summer of 1970.

Several foundations contributed financial assistance. Two of the regents, Louis B. Nicholas and Leon Jaworski, were instrumental in the initial fund-raising efforts.

In 1969, the College accepted an offer from the Dean of the Law School at the University of Houston to use office space and facility support at the Law School. The College has been housed there since that time.

In 1970, the first Dean, George Van Hoomissen, was appointed by the Board of Regents to provide full-time leadership in developing the academic program of the institution. The present Assistant Dean, Robert S. Fertitta, served as Acting Dean during 1973, and in 1974 John Jay Douglass, the present Dean, was appointed.

The Board of Regents, the governing body of the College, meets annually to review the progress of the College and staff performance, and to provide guidance to the Dean in matters of budget, curriculum, format and priorities. This meeting is the only direct and regular contact between the entire Board and the Dean, but the Dean discusses issues and seeks advice with individual members of the Executive Board by phone.

The Board consists of 11 members including four representatives of the National District Attorneys Association, two from the American Bar Association, two from the American College of Trial Lawyers, one from the International Academy of Trial Lawyers, one from the University of Houston, and one regent emeritus.

The present staff consists of a Dean, an Assistant Dean and Director of Finance, Director of Course Development and Research, Director of Training, Assistant Director of Training, Research Attorney, Communications Manager, Financial Manager, Administrative Assistant, Assistant Communication Manager, a Registrar, four secretaries, a bookkeeper, a clerk-typist, and several student interns.

Since 1971, LEAA has provided a series of grants to enable the College to conduct the Career Prosecutor Course and other short courses which the College developed in October 1971. In 1973, the Executive Prosecutor Course was added.

Early in its history, the College instituted short courses held at various locations around the country. By 1977, the College had conducted 22 short courses which had trained 1,500 prosecutors. Under a special provision of the Crime Control Act, LEAA funds were provided for seminars on the prosecution of organized crime.

Goals and Objectives of the Institution

The mission of the College is to improve the skills of the prosecutor. The primary goals inherent in this mission are to assist in the definition of the prosecutor as a vital and unique member of the legal profession and of the criminal justice system; to promote the identification and understanding of the roles and responsibilities of the office of public prosecutor; to aid in the improvement of the legal, technical, and ethical art and science of prosecution; and to establish contact with as many prosecutors as possible. In addition, the College encourages a professional attitude for support personnel in the prosecutor's office.

The goals are stated in the presentation paper submitted for fund solicitation and in the academic catalog which is published annually to describe courses offered during that year.

Programs

Trends: The number of LEAA-funded programs and participants has remained fairly consistent over the past four years. In 1977 the level of participation of LEAA programs was relatively lower, but the number of participants in programs supported by other funds was higher, due to a large number of programs funded by other federal and private grants.

PROGRAM STATISTICS

	1975	1976	1977	1978
Number of LEAA Programs	13	14	14	12
Number of Participants	942	1,103	824	1,084
Number of Other Programs*	3	5	13	5
Number of Participants	207	289	442	268

**Other programs include courses held from financial sources other than the LEAA Courts Training Grant, i.e., HEW funds, special LEAA grants, and private funds.*

More programs are focusing on specialty topics. The College recognizes that its audience is growing more sophisticated and attempts to adapt its programs to their expectations in terms of both content and format. The College believes that in the future the students will need more training in evidence and in courses which focus on attitudes and philosophy of prosecutors.

Current Programs: The present courses range in length from two and one-half days to three weeks. The subject matter includes one-subject specialized short courses as well as multi-faceted courses designed to present an overview and in-depth treatment of a variety of subjects. The courses are classified as either resident courses (held at the University of Houston campus) or short courses (held off campus in various locations around the country).

The College holds three resident courses annually:

Career Prosecutor Course: A three-week course which is an intensive study of the office of the prosecuting attorney. The course presents a chronological study of the role of the prosecutor from the criminal act to the return of the accused to society. (150 attendants)

Executive Prosecutor Course: A one-week course designed for prosecutors or assistants serving in a policy-making decision capacity. (60 attendants)

Prosecutor's Office Administrator: A three-week course taught in independent one-week segments which provides specialized management training for prosecutor's office administrators and managers. (25 attendants at each session)

In addition, two Trial Techniques courses were held at two different locations for four and one-half days. A combination of lecture and videotape demonstrations served as the key teaching method. (150 attendants at each session)

Five specialized courses are scheduled for the 1978-79 academic year. Each course is conducted for three and one-half days. The topics are:

- *Prosecuting Crimes Against Persons;*
- *Management in the Prosecutor's Office;*
- *Prosecuting Drug Cases;*
- *Prosecuting Crimes Against Property; and*
- *Law and Evidence for the Prosecution Advocate.*

The College trains approximately 1,500 persons annually.

A Desk Assessment Course was designed to meet the needs of small offices and part-time prosecutors who are unable to attend the three-week Career Prosecutor Course. The first program, *Constitutional Law*, was initiated in 1977 and presently has 227 enrollees. The second, developed in 1978, *The Roles and Functions of the Prosecutor*, has 134 students, to date. Both courses were designed by the Research Attorney on the College staff. A third Desk Assessment Course on management, developed by the Director of Course Development and Research, will be ready for implementation in early 1979.

Three seminars on organized crime are also being held during the 1978-79 academic year. These programs have been funded since 1972 by a special LEAA grant under the Crime Control Act.

The College also prepares a program with the Federal Bureau of Investigation for investigators employed in the prosecutor's office who have less than five years of experience.

In addition to the programs mentioned above, the National College offers technical assistance to states in planning and developing training programs. The College staff may provide on-site assistance in planning or support assistance coordinated from the office in Houston. In this service, the College usually works with Prosecutor Training Coordinators.

(3) Needs Analysis: While there is no systematic needs assessment performed at the National College, several steps are taken to help determine the training needs of the target audience. The Research Attorney engages in research which assists in identifying the educational needs of prosecutors, in developing new courses, and in modifying old ones. Several new courses, including those on narcotics, crimes against persons, and child abuse, were initiated as a result of this research.

The College also depends on the Curriculum Committee as a resource for needs analysis, as well as the results of course and faculty evaluations submitted by the participants.

The personal contacts which the College maintains with former students, faculty and active prosecutors also contribute to the needs analysis efforts.

Curriculum Development: The two Deans are responsible for the overall coordination of curriculum development. The Curriculum Committee initiates the course selection process at the annual meeting, and its decisions are reviewed and refined by the College staff and submitted to the Board of Regents for approval.

The Curriculum Committee consists of fifteen members who are faculty, faculty advisors, former students, representatives of sponsors of the College and College staff. The Committee meetings are scheduled annually in the fall after the summer sessions and before the Board of Regents meetings. As part of its review, the members are given a source book, which includes the evaluation results of the summer courses. The Committee meets in a plenary session and later breaks into three groups to discuss the major course areas covered by the College: the Career Prosecutor Course, the Executive Prosecutor Course, and short courses.

The Committee sets up tentative programs and the two directors determine locations for the courses.The courses are then assigned to one of the staff attorneys. The assignments are made approximately eighteen months in advance of the course date so that adequate time is allowed for preparation regarding course materials, faculty selection, budget and other related tasks.

The tentative program is prepared by the attorney 90 days before the course. The program is then submitted to the Dean for his approval. He sends his reactions to the Associate Dean within 48 hours, and feedback is then provided to the staff attorney in charge of preparation.

While all the staff members share in the responsibility for resident courses, the Director of Training is responsible for the courses on Trial Techniques and those on organized crime. The Director for Course Development and Research supervises the courses in management and fraud. The Research Attorney oversees some of the short courses, as well as the Desk Assessment Course.

Faculty Selection and Development: The National College cities several criteria for faculty selection, including expertise in a field, good speaking skills, ability to limit and adhere to a specific topic, and willingness to use the methodologies recommended by the College.

The College emphasizes the fact that speakers are not chosen solely for their stature, but for knowledge in their field and the ability to communicate effectively.

A faculty file is maintained which is arranged according to conference topic. A dossier is built on each prospective faculty member before an invitation to speak is extended. The staff may contact colleagues in the prospective faculty member's field for recommendations, or review videotapes of a lecture presented by that person.

Faculty are also chosen in terms of geographical locations with priority given to those located near a program site to avoid large transportation expenditures.

The College does not use the same faculty repeatedly in order to maintain a diversified roster and to avoid dependence on a small number. However, it does maintain a core faculty who are most frequently recruited to teach.

Each faculty member receives a handbook for each course well in advance of the conference. This handbook contains course objectives, topic listings, and training materials as well as information regarding hotel and travel expenses. A faculty member is required to submit a paper on the course topic to the College 60 days in advance of the program.

In most cases, the faculty find it difficult to meet before the program, since they teach on different days. In a module course, the team members are encouraged to make conference calls to get a consensus regarding topics and specific duties of each member. In the management course, the half-day free time given to students is used as faculty meeting time.

Faculty advisors, who are graduates of the College, are used to lead the small group workshop sessions of the Career Prosecutor Course. Outside consultants are often used for preparation of scenarios which are components of some of the courses.

The National College provided the evaluation team with information on 21 faculty members who are considered to be the core faculty. As indicated earlier, faculty is rotated frequently and files are maintained on hundreds of potential teachers. Of the 21 provided as the core, 20 are white males, and one is a black male. Four faculty members hold LL.M. degrees, fifteen hold either LL.B. or J.D. degrees, one holds a M.A. in Criminal Justice, and one is a professor of pathology.

The College did not provide figures on the tenure of faculty. However, of 9 faculty with teaching experience, the average was 12 years of teaching. Of the 19 members with experience in the field of justice, the average is 10 years of experience.

Permanent Staff: The Dean of the College is appointed by the Regents and is the principal officer responsible for the execution of policy. The Dean supervises overall program development, staff selection and personnel policy and procedures.

The Associate Dean assists the Dean in all activities, acts for him in his absence, and is responsible for the financial and administrative operations of the College.

The Director of Training has the primary responsibility for developing regional and specialized short courses. He also supervises curriculum development, educational materials, and evaluation measures for those programs. In addition, he assists in the presentation of the resident courses. The Assistant Director of Training aids him in these duties.

The Director of Course Development and Research coordinates publication projects, and assists in the preparation of educational training materials for courses. The Research Attorney, who reports to the Director of Course Development, is responsible for research activity for current and potential programs, for the development of the Desk Assessment Courses, and the review of all publications.

All of the law-trained staff assist in preparing and evaluating the National College programs. None of them is permitted to engage in private law practice while employed by the College, although they may teach, consult, or lecture.

The Communications Manager is responsible for the technical preparation of all course materials and publications of the National College, including program outlines, handbooks, brochures and newsletters. In addition, the Manager maintains the College mailing list. The Assistant Communications Manager prepares the semi-annual ***Bibliographic Guide for Prosecuting Attorneys***, maintains the college library and resource center, and coordinates audio-visual services for the College.

Other members of the administrative staff include the financial manager, who maintains the financial books and budget; the administrative assistant, who manages the non-education functions of the College; and the Registrar, who processes the applications and student records.

The administrative staff is recruited through newspaper advertisements and employment agencies. The law-trained staff are often recruited directly from law schools through placement offices, or by recommendations of a state training director.

Regarding the characteristics of the staff members, at the time of our visitation, the professional staff consisted of seven men and four women, all of whom were white. The Dean holds a LL.M. degree; five staff members hold J.D. degrees; three hold either a B.A. or B.S. degree; and one holds an A.A. degree. The average tenure of the professional staff is three years. The average age is 36 years. Both the Dean and Associate Dean have had a number of years of teaching experience, as well as extensive experience in the field of justice.

The College also employs one student administrative assistant (white, male) who holds a J.D. degree.

The support staff was composed of four full-time and two part-time females. Of the six, three were black, two white, and one oriental. One of the secretarial staff has a B.A. degree and the remainder are non-degreed. The average age is 31 years and the average tenure is 7 months. The College attributes the high turnover rate among support staff to low salaries. The average salary is $7,654, which is said to be low for support personnel in the Houston area.

Effectiveness

Marketing of Programs and Selection of Trainees: The Communications Manager supervises the marketing efforts of the College through the publications and mailing list. The mailing list consists of 5,800 lawyers and investigators. Many of the listings are sent to prosecutor's offices rather than to specific individuals. The brochures are sent to all District Attorney's offices and to 284 top law offices to the attention of the Investigation Section. There is also a direct mailing to all new District Attorneys on a name basis.

The mailing list is maintained by an outside computer service with which the National College contracts. Items on the list can be retrieved by region and category of profession. The College sends two mailings for each seminar, since they have found the first mailing often gets lost within the office.

The admissions standards for the course often depend on the content. For example, the Career Prosecutor Course is limited to those who have two or more years of experience in a prosecutor's office and who have previously attended a local, state, or regional seminar for prosecutors. Preference for the Executive Prosecutor Course is given to those who have a policy-making position and who are graduates of the Career Prosecutor Course.

Among the criteria for selection of participants, the College considers geographic distribution and gives priority to those students who are receiving financial aid from a state planning agency or other state or local organization.

Monitoring and Assessment of Programs, Faculty, and Trainees: The National College evaluates its programs through faculty and student critiques administered at every course. A more extensive evaluation of faculty is used during the summer programs. There are also some pre- and post-tests being administered this year. The staff also monitors the courses carefully, being particularly observant of new faculty. Follow-up critique forms are sent to students who complete the Career Prosecutor Course and to their supervisors. The results of all of these evaluations are used for future program planning.

However, there appear to be some serious weaknesses in the College's monitoring and assessment practices. Among the NCDA training participants interviewed at the 12 randomly selected case study sites, a significant number complained about sexist attitudes and comments of College staff and faculty and their insensitivity to members of minority groups.

Another area which seems to need attention, especially at NCDA's regional workshops, is attendance and awarding of Continuing Legal Education credits. A number of participants commented critically on NCDA's failure to require and enforce attendance at its training programs or to withhold CLE credits from the absentees. Our onsite observation of one NCDA training program confirmed the existence of these practices.

In 1974 the College commissioned an evaluation, which was to focus on the activities for the 1974-75 grant period. The report, by Joseph L. Carr, B.J. George, Jr., and Donald Webber, focused on the College's organization, programs, services, and faculty. The recommendations included the improvement of faculty development, curriculum planning, and course format. The College responded to these suggestions, which are reflected in the present organization and programs. The Dean, at this time, however, is more interested in an evaluation which deals with student retention and program impact and which offers suggestions regarding needs assessment and marketing strategies.

Other Institutional Activities

Research: The National College employs a Research Attorney primarily to keep programs current and to provide data regarding needs for new courses. The College maintains a Resource Center, a clearinghouse for educational materials from prosecuting attorneys' offices and prosecutor training coordinators from all over the country.

The College would like to expand its research capabilities, but lacks the necessary funds.

Publications: Several texts have been published by the National College:

- *The Right of the People to be Secure--An Examination of the Fourth Amendment*, 2d. ed. by Judge Charles E. Moylan, 1977
- *A Compendium on Child Abuse and Neglect*, 1977
- *Incompetency Issues in Criminal Trials*, 1977
- *The Constitutional Law Deskbook*, 1978
- *Constitutional Law in Texas*, 1978
- *A Bibliographic Guide for Prosecutors*, 1977

The *Bibliographic Guide* has been distributed to over 2,500 prosecutors at no charge.

The six texts that are used in the Role of the Prosecutor Desk Assessment Course are also available separately for purchase.

- *The Prosecutor in America*
- *Discretionary Authority by the Prosecutor*
- *Ethical Consideration in Prosecution*
- *Prosecutorial Relationships in Criminal Justice*
- *Pretrial Problems of the Prosecutor*
- *Special Problems of Prosecutors*

The College publishes *Update*, a quarterly newsletter, as well as a *Faculty Newsletter*, and a Master Calendar of Programs for Prosecutors.

External Relations: The National College shares some of its facilities and services with the National College of Criminal Defense Lawyers and Public Defenders (NCCDLPD) which is located in the same building. The colleges do not collaborate on programs because they claim that it is too difficult to do this within an adversary system. The two colleges also state that their schedules, speakers, and types of programs are not conducive to joint programs.

The College is aware of the National Institute for Trial Advocacy's (NITA) programs and does not feel that NITA is a competitor with regard to teaching trial techniques, since the number of prosecutors trained by them is limited. NITA also aims its programs at the private bar in civil law.

External relations are enhanced by its four principal sponsors on the Board of Regents.

The National College recognizes, in its publications, the financial assistance from LEAA. The College feels that LEAA, especially the Adjudication Division, should look more closely at the programs funded to exercise greater control and prudence in their choice of grantees. The College feels there is excessive duplication and a lack of communication among all the training programs.

Alumni Development: Alumni receive all brochures which are published as well as *Update*, the quarterly newsletter. Every other year, they receive an *Alumni Directory* which is covered by the $5.00 membership fee. If an alumnus has not attended a course in the last 18 months, however, his/her name is deleted from the mailing list.

An Alumni Association, which consists of graduates of the Career Prosecutor Course and the Executive Prosecutor Course, numbers approximately 1,200. The Association has established an alumni scholarship fund.

Program and Related Costs

Budget History: Over the past three years, LEAA has decreased funding to the College. At the same time, sponsor funding has also been slowly decreasing. Some recovery was made through increased tuition revenue. The College has $450,000 in time deposits and capital savings.

Revenue	1976-77	1977-78	1978-79*
Tuition/Fees	$ 87,350	$207,736	$129,200
LEAA Grant	500,000	450,000	350,000
Sponsor Funding	55,555	50,000	38,978
Total	$642,905	$707,736	$518,178

**Current Fiscal Year's revenues are estimates.*

Activities Analysis: The Career Prosecutor Course, a three-week resident program, was attended by 150 students, at a cost of $327.25 per student. This was the highest cost of any course offered by the College. The lowest cost per student for a resident course was for the Prosecutor's Office Administrator Course III. A total of 36 students participated at a cost of $84.33 per student.

The costs for specialized short courses are well represented by the average amounts (see chart below). The highest cost per student was $77.54 for the Management in Prosecutor's Office course which was attended by 67 students. The lowest cost per student, $40.35, was for Prosecuting Crimes Against Persons, which was attended by 141 students.

The two courses offered on Trial Techniques were very similar in both attendance and cost per student. Therefore, the averages presented below are representative of both courses.

CONFERENCE STATISTICS

Category	Total No. Conferences*	Avg. Cost per Conference	Avg. No. Students	Avg. Cost per Student	Avg. Cost per Student per Day
Resident Courses	4	$18,258	71	$257	$33
Short Courses	5	$ 5,232	94	$ 56	$22
Trial Techniques	2	$ 6,150	123	$ 50	$13

**Indicates conferences with available data.*

Management

Policy Planning: The Board of Regents is primarily responsible for the basic policy of the College which the Dean executes. In addition to the annual Board meeting, the Dean maintains individual contact with members throughout the year when a question of policy or operations arises.

The responsibilities of each of the directors, the Associate Dean, and those working with them are clearly delineated and the lines of authority well structured.

Budgeting: The Dean and Associate Dean determine the budget each year and the financial manager and bookkeeper administrate the records. The Dean is involved in fund raising in order to seek additional sources of income for the College.

The policies and procedures of the College are well documented and reflect a well-organized institution in terms of management, programs, and personnel. One of the reasons that the College has good organization is the stability of the top administrators. The Dean has been with the College for 5 years, the Assistant Dean has 7 years tenure, the Director of Course Development and Research has 5 years tenure, and the Research Attorney has worked for the College 3½ years. This stability allows continuity of policy, management and program development. As a result, the College has policies and procedures manuals for both staff and faculty which cover in detail the appropriate areas. The handbook which is distributed to faculty before conferences prepares the instructor for the course and introduces him to the procedures of the College.

The sourcebook on summer courses which is compiled and distributed at the Curriculum Committee meeting is an appropriate springboard for curriculum planning.

Information on past programs in terms of content, participants, evaluation, and costs is readily accessible.

Challenges and Future Directions

The National College would like to expand and improve the quality of its programs and services through additional faculty training, improving audio-visual techniques, increasing the number of publications, better targeting of students and improving outreach strategies. The College hopes to reduce costs through improved planning for programs and through requests to airlines and other funding sources for scholarship money for student transportation.

Training Objectives/ Perceived Effectiveness

The teaching objectives of surveyed NCDA instructors coincide with the stated objectives of the college, and the instructors believe the success rate is high in achieving those objectives (*Table 8F*). This perception tends to be borne out by participant and instructor praise for the relevance of the training and their ratings of the effectiveness of NCDA training as reflected by the multiplier effects shown in *Table 9F*. The only soft spot is the 61 percent of NCDA participants who do not attempt to make organizational changes as a result of training experiences, but that probably more accurately reflects the status of the trainee in his/her organization than the effectiveness of the training.

However, there are mixed reactions by participants and instructors to questions concerning soundness of training design. Participants are somewhat critical of NCDA's failure to consider the needs of the individual trainee, to keep the individual informed of his/her progress, and to provide useful feedback, and opportunities for evaluative comments from participants to faculty. In a number of other aspects of training design, only "passing grades" are accorded by participants and instructors. (See *Table 10F*.)

TABLE 8F

INSTRUCTORS' PERCEPTIONS OF LEARNING OBJECTIVES (NCDA)

	Perceived Achievement	
Objective	Average Priority Rating (1-High; 7-Low)	Category of Median Response
1. Improve participants' proficiency in their roles.	2.38	Very well
2. Update and increase participants' substantive knowledge.	2.81	Very well
3. Enable participants to introduce new techniques and procedures in their systems.	3.15	Fairly Well
4. Increase communication and consultation among professional peers/colleagues.	4.27	Very well
5. Enhance participants' understanding of their roles.	4.28	Very well
6. Enable participants to influence/promote change among other courts personnel.	5.00	Fairly Well

TABLE 9F

MULTIPLIER EFFECTS (NCDA)

Aspect	Type of Respondent	Number/% Responding		Frequency of Response				
		N	%	YES		NO		No response
				N	%	N	%	N
Wish to return to institute.	Participant	108	100	94	87	14	13	–
Perception of participants' desire to return to institute.	Instructor	39	89	38	97	1	3	5
Perception of participants' actual return to institute.	Instructor	36	82	33	92	3	8	8
Share institute materials.	Participant	108	100	94	87	14	13	–
Perception of participants' use of institute materials.	Instructor	39	89	38	97	1	3	5
Use institute materials.	Instructor	41	93	34	83	7	17	3
Attempt to make institute-spurred personal changes.	Participant	107	99	81	76	26	24	1
Attempt to make institute-spurred organizational changes.	Participant	107	99	42	39	65	61	1
Recommend institute to others.	Participant	108	100	93	86	15	14	–

TABLE 10F

SOUNDNESS OF TRAINING DESIGN (NCDA)

Training Design Component	Type of Respondent	Number Responding	Category of Median Response	Frequency of Response					
				Not at all	Somewhat	Fairly well	Very well	Thoroughly	No Response
1. Degree based on profession's needs.	Participant	107 (99%)	Very well	–	4 (4%)	14 (13%)	52 (49%)	37 (35%)	1
	Instructor	40 (91%)	Very well	–	–	6 (15%)	20 (50%)	14 (35%)	4
2. Degree individual's needs are considered.	Participant	107 (99%)	Somewhat/ Fairly well	33 (31%)	20 (19%)	32 (30%)	15 (14%)	7 (7%)	1
	Instructor	40 (91%)	Very well	–	4 (10%)	10 (25%)	19 (48%)	7 (18%)	4
3. Degree expected outcomes presented at outset of course.	Participant	102 (94%)	Fairly well	21 (21%)	18 (18%)	24 (24%)	29 (28%)	10 (10%)	6
	Instructor	37 (84%)	Very well	–	7 (19%)	11 (30%)	13 (35%)	6 (16%)	7
4. Degree learning objectives clear and succinct.	Participant	102 (94%)	Fairly well	14 (14%)	11 (11%)	31 (30%)	38 (37%)	8 (8%)	6
	Instructor	39 (89%)	Very well	–	5 (13%)	12 (31%)	14 (36%)	8 (21%)	5
5. Degree objectives are demonstrable.	Participant	105 (97%)	Fairly well	19 (18%)	10 (10%)	30 (29%)	31 (30%)	15 (14%)	3
	Instructor	40 (91%)	Fairly well	–	9 (23%)	16 (40%)	12 (30%)	3 (8%)	4
6. Degree training provides opportunities to practice what is taught.	Participant	103 (95%)	Fairly well	41 (40%)	6 (6%)	19 (18%)	25 (24%)	12 (12%)	5
	Instructor	40 (91%)	Fairly well	5 (13%)	7 (18%)	11 (28%)	11 (28%)	6 (15%)	4

TABLE 10F (Continued)

Training Design Component	Type of Respondent	Number Responding	Category of Median Response	Frequency of Response					
				Not at all	Somewhat	Fairly well	Very well	Thoroughly	No Response
7. Degree participant informed of progress.	Participant	97 (90%)	Not at all	69 (71%)	11 (11%)	5 (5%)	9 (9%)	3 (3%)	11
	Instructor	34 (77%)	Somewhat	8 (24%)	12 (35%)	7 (21%)	7 (21%)	—	10
8. Degree objectives, materials, and activities cohesive.	Participant	105 (97%)	Very well	1 (1%)	2 (2%)	17 (16%)	56 (53%)	29 (28%)	3
	Instructor	40 (91%)	Very well	—	4 (10%)	7 (18%)	20 (50%)	9 (23%)	4
9. Degree feedback/ evaluation useful.	Participant	104 (96%)	Somewhat	49 (45%)	13 (13%)	15 (14%)	23 (22%)	6 (6%)	4
	Instructor	37 (84%)	Fairly well	4 (11%)	12 (32%)	12 (32%)	6 (16%)	3 (8%)	7
10. Degree of opportunity to provide input to faculty.	Participant	106 (98%)	Very well	13 (12%)	12 (11%)	22 (21%)	37 (35%)	22 (21%)	2
11. Degree training upgraded and modified in relation to current state of the art.	Instructor	38 (86%)	Very well	—	1 (3%)	6 (16%)	14 (37%)	17 (45%)	6

Training Setting, Techniques and Faculty

While participants and instructors are generally pleased with the setting of NCDA training programs, some aspects deserve attention. As reflected in *Table 11F*, some instructors and participants feel that class sizes may be too large and that there is insufficient contact between them outside the classroom. About 20 percent of the participants surveyed also believe there is a poor mixing of trainees, in terms of their roles and experience levels.

Instructors express some concerns about the management of training events (*Table 12F*), especially in the areas of orientation and training of faculty, program modifications based on assessment, and to a lesser extent, appraisal of instructors' performance.

Lectures emerge as the most frequently used method of teaching at NCDA, and most participants find them more useful than the variety of other techniques which are used by instructors from time to time (see *Table 13F*).

The faculty receives a high rating by participants in terms of substantive knowledge, practical experience, and teaching ability (*Table 14F*), and a high percentage of instructors surveyed have participated in NCDA programs numerous times (*Table 15F*).

Additional Comments

In response to a final question regarding overall strengths and weaknesses of NCDA, instructors and participants had more praise than criticism. Participants highlighted the following strengths: gaining collegial contacts and resources, expertise of the faculty, and practicality of the training. A fewer number of participants found the training impractical, the instructors lacking training expertise, too much time given to lecture, and participants too heterogeneous. A few instructors and a good many of the participants found the short seminars too brief or the Career Prosecutors Course too long. The only other demurrers from the instructors' generally complimentary remarks were the observations by a few that the participants were too heterogenous in experience and that the scope of some seminars was too narrow.

TABLE 11F
ADEQUACY OF THE TRAINING SETTING (NCDA)

			Frequency of Response		
Aspect	Type Of Respondent	Number/% Responding	Yes	No	No Response
1. Similarity of participants' roles/experience	Participant	105 (97%)	84 (80%)	21 (20%)	3
	Instructor	43 (98%)	37 (86%)	6 (14%)	1
2. Sufficiently small classes	Participant	105 (97%)	60 (57%)	45 (43%)	3
	Instructor	44 (100%)	34 (77%)	10 (23%)	–
3. Sufficiently long courses	Participant	106 (98%)	91 (86%)	15 (14%)	2
	Instructor	43 (98%)	35 (81%)	8 (19%)	1
4. Match between participant needs and instructor expertise	Participant	105 (97%)	95 (90%)	10 (10%)	3
	Instructor	41 (94%)	40 (98%)	1 (2%)	3
5. Availability of instructors outside of class	Participant	99 (92%)	70 (71%)	29 (29%)	9
	Instructor	37 (84%)	28 (76%)	9 (24%)	7
6. Sufficient number of contact hours between participants and instructors	Participant	105 (97%)	83 (79%)	22 (21%)	3
	Instructor	40 (91%)	29 (73%)	11 (28%)	4
7. Reinforcement of behavior/skills	Instructor	37 (84%)	33 (89%)	4 (11%)	7
8. Adequate support services	Participant	98 (91%)	95 (97%)	3 (3%)	10
	Instructor	41 (94%)	38 (93%)	3 (7%)	3
9. Adequate physical accommodations	Participant	106 (98%)	97 (92%)	9 (8%)	2
	Instructor	41 (94%)	41 (100%)	–	3

TABLE 12F
MANAGEMENT OF TRAINING EVENTS (NCDA)

Aspect	CTP Instructor Response					
	Number Responding		Yes		No	
	N	%	N	%	N	%
1. Clarity of lines of authority/responsibility	38	86%	35	92%	3	8%
2. Adequacy of administrative procedures	39	89%	37	95%	2	5%
3. Instructors appraised of performance/expectations	42	95%	34	81%	8	19%
4. Instructors given orientation/staff training	42	95%	22	52%	20	48%
5. Program modification based on assessment	38	86%	28	74%	10	26%

TABLE 13F

FREQUENCY OF METHODS USED (NCDA)

Method		Median Response	
		CTP Participant	CTP Instructor
1.	Lectures	Most of the time	Most of the time
2.	Discussion groups	Some	Often
3.	Panel discussions	Not at all	Some
4.	Case studies	N/A	Some
5.	Role playing, simulation	Not at all	Some
6.	Videotaping	N/A	Often
7.	Moving pictures	N/A	Some
8.	On-the-job training	N/A	Not at all
9.	Computer Assisted Instruction	N/A	Not at all

TABLE 14F

PERCEIVED FACULTY COMPETENCE (NCDA)

			Frequency of Response					
Aspect	Number Responding	Category of Median Response	Totally Unknowledgeable	Minimally Knowledgeable	Adequate	Quite Knowledgeable	Expert	No Response
Degree of their substantive knowledge.	103 (95%)	Quite Knowledgeable	–	1 (1%)	10 (10%)	56 (54%)	36 (35%)	5
Extensiveness of their practical experience.	105 (97%)	Quite Knowledgeable	–	1 (1%)	15 (14%)	42 (40%)	47 (45%)	3
Teaching ability.	103 (95%)	Quite Knowledgeable	–	2 (2%)	29 (28%)	53 (52%)	19 (18%)	5
			Not at all	Once or twice	Periodically	Often	Continually	No Response
Number times called upon staff/instructors since training for followup technical assistance.	107 (99%)	Not at all	81 (76%)	15 (14%)	7 (7%)	3 (3%)	1 (1%)	1

TABLE 15F

FACULTY FOLLOWUP/CONT. RELATIONSHIP (NCDA)

Number of Times	Called upon by CTP Participants		Invited back to Institute	
	N	%	N	%
None	6	14	10	23
1 – 5	11	26	22	51
6 – 10	8	19	6	14
11 – 25	7	17	5	12
Greater than 25	10	24	0	0

INTEREST IN TEACHING AGAIN

YES (%)	NO (%)
98	2

7. NATIONAL COLLEGE OF CRIMINAL DEFENSE (LAWYERS AND PUBLIC DEFENDERS)

(Editor's Note: Since the initiation of this Impact Evaluation, the name of the National College of Criminal Defense Lawyers and Public Defenders (NCCDLPD) has been changed to the National College of Criminal Defense (NCCD). These two titles have been used interchangeably throughout this report.)

The National College of Criminal Defense Lawyers and Public Defenders (NCCDLPD), located at the Bates College of Law, University of Houston, was visited on December 4 and 5, 1978, by a two-person interview team. The site visit was initiated with a meeting with the Dean to explain the purposes of the impact evaluation and the site visit, to review the schedule for the visitation, and to reach agreement on the staff personnel who were to be interviewed. A lengthy and detailed interview was then conducted with the Dean, utilizing the project director questionnaire and other appropriate data collection instruments as guides. The Dean also escorted the evaluators on a tour of the College's facilities, including those that are shared with the National College of District Attorneys.

During the remainder of the visitation, interviews were conducted with, and data collected from, the following members of the College staff:

- *Associate Dean*
- *Director of Training*
- *Director of Research and Publications*
- *Publications Editor*
- *Administrative Assistant to the Dean*
- *Registrar*
- *Data Services Technician*

At the conclusion of the visit, a brief exit interview was conducted with the Dean. In addition, a draft of the findings contained in this report was submitted to the Dean for confirmation purposes.

History of Institution

The National College of Criminal Defense Lawyers and Public Defenders was founded in 1973 as a non-profit Texas corporation sponsored jointly by the American Bar Association, the National Association of Criminal Defense Lawyers, and the National Legal Aid and Defender Association. The bulk of its funding support comes from the Law Enforcement Assistance Administration.

The College is located on the campus of the Bates College of Law at the University of Houston in office space shared with the National College of District Attorneys.

The general purpose of the College is to train the nation's defense attorneys, with a priority of producing more highly trained and skilled defense lawyers for indigent defendants.

The educational programs of the College consist of summer resident sessions at the University of Houston, national institutes or workshops held at regional locations, and defender management workshops. The College also serves as a resource center and produces two publications on a regular basis. More than 5,000 public defenders and private attorneys have attended the College's programs over the years.

The College is headed by Dean John E. Ackerman, who has held that position on a full-time basis since 1974. The other key professional positions are Associate Dean, Director of Training, and Director of Research and Publications. At the time of our visit, we were informed by Dean Ackerman that the Associate Dean would be leaving at the end of 1978 and that the two other key positions would be abolished at the end of the LEAA grant year (3/31/79).

The College is officially governed by a 12-member Board of Regents, four members representing each of the College's sponsoring organizations (identified above). The Board, which meets twice a year, establishes policy with guidance of the Dean.

Comparisons of budget years are somewhat difficult because LEAA grant periods have varied in length. However, recent LEAA grants have been as follows:

Dec. 1975-Jan. 1977—$500,000
Feb. 1977-Mar. 1978—$424,041
Apr. 1978-Mar. 1979—$350,000

Matching funds have been provided annually by the three sponsoring organizations (a total of $12,963 each in the current fiscal year). In addition, the College is receiving funds this year from the American College of Trial Lawyers ($10,000) and a private foundation ($2,500).

Goals and Objectives of the Institution

The goals and objectives of the National College of Criminal Defense Lawyers and Public Defenders, as stated by Dean Ackerman, are to improve the quality of representation for the indigent defendant in the United States. A by-product is to improve the quality of representation for all defendants.

These goals do not appear in any literature prepared by the College nor were they formally adopted by the Board of Regents. They do appear, in essence, in the College's grant applications to LEAA.

Programs

Trends: Over the past five years, the content of the College's programs has moved from substantive law to strategy and techniques. Program format has been shifted from standard lectures to participatory methods.

The College has been offering seven or eight LEAA-funded training programs each year for the past four years. The number of trainee contact hours has decreased steadily from 285 to 166 over that same period, but the number of program participants has been up and down in a range of 864 to 1,147 during those four years.

Despite the goal which places emphasis on improved representation for the ***indigent*** defendant, the College was considering a course in white collar crime defense because it is a popular subject and can possibly generate income for the College. It would be a non-LEAA grant course.

Current: The LEAA grant application for the period April 1, 1978, to March 31, 1979, lists the following program schedule:

- *1 Three-day Defender Management Workshop*
- *5 Three-day National Institutes*
- *2 Two-week Trial Practice Institutes (summer residential)*

The National Institutes, held on a regional basis around the country, deal with subjects of jury selection techniques, advanced cross-examination techniques (drug defenses), appellate advocacy, and forensic science.

In addition to those LEAA-funded programs, the College presented a contract program in Bismark, North Dakota on the subject of Criminal Defense Tactics and Techniques.

Needs Analysis: There is no formal process in place for assessing the needs of potential trainees. Dean Ackerman feels there is no need for such a formal process because the College utilizes feedback from participants at training sessions, feedback from faculty, and the court experience of the College staff. He believes these are sufficient to identify the needs of practitioners in the field.

Curriculum Development: The Curriculum Committee of the Board of Regents meets once a year to review and make decisions about courses, with input from Dean Ackerman. The Dean and Associate Dean share primary staff responsibility for design and development of curriculum. Most training materials are developed in-house.

The two summer resident training programs utilized the original NITA model, but the Dean says it has been revised substantially. He has not seen NITA's material for a couple of years, so is not certain what materials they are using now. (The College's Director of Research and Publications told us he has never seen any material produced by NITA.)

NCCDLPD prefers the use of participatory and demonstration techniques in its training programs, including the use of videotapes and paid actors who serve as jurors in mock trials.

Faculty Selection and Development: According to Dean Ackerman, the College has developed a list of about 75 individuals who are utilized as the core faculty. (The faculty records provided to us listed only 36.) The selection process starts with consideration of the nature of the program, and decisions are then made about the best individuals to present that particular subject. Recruitment of faculty is largely on the basis of personal references and/or going after respected experts. The College has compiled a list of "the 30 best criminal lawyers in the country" and refers to it in seeking faculty. Dean Ackerman says that teaching at the College has become so professionally significant that he often receives communications from individuals who offer to serve on the faculty.

According to the faculty files provided us, there are 36 faculty members identified. Of the 36, three are female (8%) and three are black (8%). No other ethnic or racial minority representative was indicated.

Dean Ackerman says the list of faculty provided us was the faculty for the 1978 Summer Session "which is simply not representative of the total faculty involved in the College." He says the permanent faculty file contains 252 prospective faculty members. Of that number, there are, according to the Dean, 24 women (9.5%) and 11 blacks (4%). No files were made available for our review covering either the 252 prospective faculty members or the 75 Dean Ackerman refers to as the "core" faculty.

The Dean also spoke of his "substantial efforts" to recruit women and minorities as faculty. He claims that only recently have minority and women lawyers come into the business of defending criminal cases. Therefore, he maintains, the numbers with sufficient experience to have credibility at his College are substantially disproportionate to those which would be reflected by a census of bar membership.

Because faculty members are busy individuals with heavy schedules, it has been difficult for the College to build in time for faculty preparation and development as part of the program format. However, the faculty always receives course materials and format information in advance of the program. For the two-week Trial Practice Institutes, the faculty meets for three to six hours on the Sunday prior to the sessions in order to discuss preparations and presentations. During the two-week course there is a faculty meeting each day, and Dean Ackerman monitors the instructors and obtains informal feedback from the trainees. Less time is devoted to faculty preparation at the three-day workshops, but monitoring and feedback provisions are employed.

Permanent Staff: At the time of our site visit, the NCCDLPD had a permanent staff of 12. These included the following positions:

- *Dean*
- *Associate Dean*

- *Director of Training*
- *Director of Research and Publications*
- *Publications Editor*
- *Registrar*
- *Administrative Assistant to the Dean*
- *Data Services Technician*
- *Secretary to the Associate Dean*
- *Secretary to the Directors*
- *Records Clerk*
- *Printer*

Exhibit A is the College's organization chart. We have added the footnotes.

The Dean, Associate Dean, Director of Training, and Publications Editor are trained attorneys. The other members of the staff have varying professional backgrounds and training. The twelve-member staff, at the time of our visit, consisted of six males and six females, none of whom was a member of a racial or ethnic minority group.

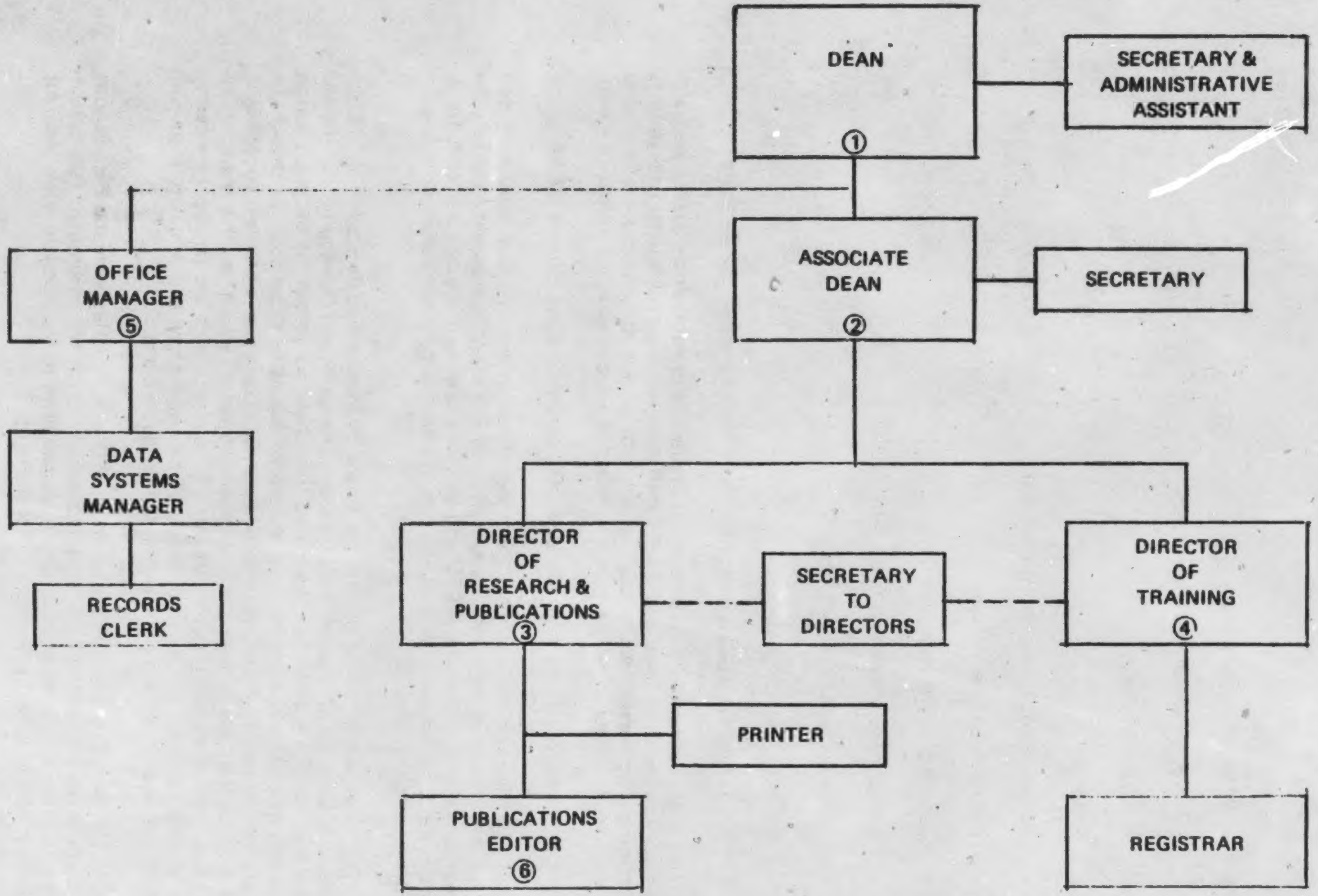
The salaries of all staff are funded 100 percent by the current LEAA grant.

At the time of our site visit, Dean Ackerman informed us of important staff changes which were in the offing. He said that the Associate Dean would be leaving the College at the end of the year (1978) and that he would recruit a new Associate Dean. The responsibility lodged with that position has been largely curriculum development and materials development.

The Dean also informed us that the Board of Regents had decided to abolish the positions of Director of Training and Director of Research and Development at the end of the current LEAA grant year. He noted that about 53 percent of the grant budget is devoted to personnel costs and that the Board suggested those costs be reduced by eliminating the two positions and employing a young lawyer as a program coordinator. That coordinator, along with the incumbent registrar, would assume most of the functions now performed by the Director of Training, which are far more concerned with arrangement of the physical details of the workshops and seminars than with training the faculty or the participants in the various programs.

As for the elimination of the position of Director of Research and Publications, the Dean plans to shift publications responsibilities to the incumbent Publications Editor and the grants research/writing responsibilities to the administrative assistant, who would also assume the duties of office manager.

Exhibit A


DEAN
①
SECRETARY & ADMINISTRATIVE ASSISTANT
ASSOCIATE DEAN
②
SECRETARY
OFFICE MANAGER
⑤
DATA SYSTEMS MANAGER
RECORDS CLERK
DIRECTOR OF RESEARCH & PUBLICATIONS
③
SECRETARY TO DIRECTORS
DIRECTOR OF TRAINING
④
PRINTER
PUBLICATIONS EDITOR
⑥
REGISTRAR

- The circled numbers, 1 through 6, denote the chain of command.
- At the time of our visit, the position of Office Manager was vacant, and the duties were being fulfilled by the Director of Research and Publications.

The net effect of these contemplated changes would be to reduce the size of the staff from 12 to 11 and to reduce the annual staff payroll by an amount not yet specified.

Effectiveness

Marketing of programs and selection of trainees: NCCDLPD will accept for its various training programs virtually anyone who applies. For general admission students, admission is open on a first come-first serve basis to any licensed attorney to the extent of available space. For scholarship students (scholarships cover travel costs and living expenses), no less than 50 percent of the scholarships are awarded to private attorneys, based on their application statements as to the percentage of time they devote to defense of the indigent, a declaration of willingness to represent the indigent in the future, a statement of financial need, and some other relatively minor considerations. The names of scholarship students attending courses are forwarded to their local jurisdictions so that the courts will be aware of the students' pledge of willingness to represent indigents. However, the College makes no effort to check back within a period of time to determine whether or not the student is keeping his pledge.

All College programs are advertised via the institution's mailing list of 11,000 public defender offices and private attorneys, plus advertisements in the ABA Journal.

Monitoring and assessment of programs, faculty and trainees: As described previously, Dean Ackerman monitors the programs and faculty presentations during the year. He does this by sitting in on programs and by talking with students informally. Students are also queried more formally by filling out a questionnaire in which they rate the programs, comment on the faculty, and generally describe the benefits of what they have learned. Only in the psychodrama program is there any checkback with students (six months later) to determine whether or not they are utilizing what they learned.

Outside evaluations including key findings, responses and results: There have been two outside evaluations of the National College of Criminal Defense Lawyers and Public Defenders. The first was by Judge George Van Hoomissen of Portland, Oregon in 1973-74, and the second by Norman Lefstein of the University of North Carolina School of Law in 1976. While both evaluations were generally positive, both noted the same area of concern . . . that private attorneys attending NCCDLPD programs had not in the past, and were unlikely to in the future, represented indigent defendants. Judge Van Hoomissen wrote in his evaluation:

> *"It is clear that the stated primary goal of the College is to upgrade the defense of the indigent accused. If this continues to be the primary justification for federal funding of the project, greater care must be taken in screening potential students in the future."*

And in his evaluation report written two years later, Mr. Lefstein said:

> *". . . the evidence strongly suggests that a great many of the private attorneys who attended the College's training programs during the second grant year provide little, if any, representation of indigent defendants."*

We could find no evidence of any effective changes to address this concern. In fact, the decision of the College to initiate programs in the white collar crime area raises questions about the actual priority assigned to representation of the *indigent* defendant. We also found in our interviews with NCCDLPD training participants a number of private attorneys who have not represented indigents. Some attended the College on scholarships.

Dean Ackerman takes issue with the two previous evaluations, calling their conclusions "unfair and unrelated to the fact existing at the time." He further states, "In the seven programs the College has presented beginning with the two 1978 summer sessions, 658 lawyers have been trained. Of that number 420 were public defenders who are, of course, totally involved in the defense of the indigent. In other words, 64% of those attorneys spend 100% of their time defending indigent persons. It is extremely difficult among the private bar to find criminal lawyers who do not devote at least 25% of their time to the defense of the indigent on either a court-appointed or pro bono basis."

Other Institution Activities

Research: The College engages in no research per se. It does, however, seek out and reprint government documents of interest to defense lawyers, then offer them for sale as a money-raising device.

Publications: The College produces two publications on a regular basis annually. *Criminal Defense*, which includes articles and information concerning the criminal defense field, is published six times a year. The *National Journal of Criminal Defense*, a law review, is published twice a year.

External Relations: NCCDLPD shares office space and certain equipment with the National College of District Attorneys. This arrangement undoubtedly reduces costs of both institutions to some degree. However, the two colleges do not attempt to coordinate their training programs for the purposes of sharing lecturers and other costs because of space limitations at the University of Houston and because of what Dean Ackerman calls ideological differences.

As for its relations with LEAA, the College would prefer more contact and on-site presence of LEAA representatives to observe what the College is doing. In most of its brochures and on the front cover of its publications, the College notes that its activities are funded through LEAA.

The College has utilized some of the material prepared by the Court Practice Institute and by NITA, but all material has been revised substantially, and Dean Ackerman says it is difficult to share such material.

Although the Dean is not familiar with the current programs or training materials of NITA, he does identify it as the College's only real competitor.

Alumni Development: Ongoing relations are maintained with alumni through the mailing list announcements and through *Criminal Defense* magazine, which is sent to each member of the alumni group who pays a minimum annual fee of $15. Alumni are also solicited for contributions, and the Dean wants to institute the practice of allowing the alumni to earmark the uses of their contributions.

Program and Related Costs

Budget History: Over the past three funding years, the College's spending levels have varied with the decreases in LEAA funding support, but much of the decrease has been made up through increased tuition revenue.

Revenue:	1976-77	1977-78	1978-79*
Tuition/Fees	$ 77,664	$105,735	$161,000
LEAA Grant	500,000	424,041	350,000
Sponsor Funding	55,240	47,222	52,963
Other	284	323	7,492
Total	$633,188	$577,321	$571,455

(*Current Fiscal Year's Revenues are estimates)

Other steps taken by the College to address the reduction of the LEAA grant include the elimination of two staff positions (discussed previously) and the elimination of rental payments to the University of Houston. (The $12,500 annual rent will be paid from non-grant funds.)

Activities Analysis: During 1977, NCCDLPD conducted a total of seven instructional programs ranging from three-day workshops to two-week residential seminars. Costs per student per day ranged from $111 for the three-day Defender Management Institute to $39 for two of the three-day workshops.

Program	Topic	No. of Students	Hours of Instruction	Total Costs	Cost Student/Day
2-week resident	Trial Practices	88	68	$50,087	$ 56.92
2-week resident	Trial Practices	96	68	$42,391	$ 44.16
3-day workshop	Evidence & Cross Exam.	137	15	$18,671	$ 45.43
3-day workshop	Defender Management	74	15	$24,639	$110.99

Program	Topic	No. of Students	Hours of Instruction	Total Costs	Cost Student/Day
3-day workshop	Evidence & Cross Exam.	89	–	$10,328	$ 38.68
3-day workshop	Forensic Science	94	–	$11,046	$ 39.17
3-day workshop	Forensic Science	117	–	$15,245	$ 43.43

The higher costs for the Defender Management Workshop may be traced to the fact that it is the only three-day program in which the College pays transportation and subsistence. In addition, and despite the inclusion of travel and living costs, enrollment has been relatively low.

Since our site visit, Dean Ackerman has advised us that it is now his intention to cancel the Defender Management Workshop for 1979, and he blames LEAA for making such a decision necessary. He says the NCCDLPD has not been able to justify more than one such program per year due to the low level of interest among defender offices in the subject of management training. This low interest level, he says, is reflected by the low attendance at a program in which the College pays full transportation and subsistence. Now, Dean Ackerman says he has learned that the National Institute of Law Enforcement and Criminal Justice (a unit of LEAA) has awarded "a very large grant to another organization (University Research Corp.) to conduct seven defender management workshops throughout the country in the next 12 months." He says the management program is patterned "almost exactly" after those which NCCDLPD has been presenting, and that with the competition of seven such workshops annually, there is no wisdom to NCCDLPD continuing its workshop, especially given the low level of interest in the subject.

Dean Ackerman says, "At no time was this College consulted regarding that project or made aware of it until it was an accomplished fact."

Management

Policy planning: The Board of Regents is technically responsible for planning and establishing the policies of the College, but the Dean plays a major role in shaping that policy. At the moment, the institution's policy planning appears to be largely influenced by the limitation of fund sources and the search for new sources.

Budgeting: The annual budget process is initiated in December of each year by the Dean, with staff assistance. The present year's budget is used as the base for planning the next budget.

Documents and procedures relating to administration: The College boasts a number of signs of sound management and administration including an organization chart, policy and procedure manual, written accounting procedures, purchasing procedures, an up-to-date property inventory, written personnel procedures, current position descriptions, and staff attendance records. It lacks a formal system for evaluating the performance of staff members on a regular basis.

The College made a decision to purchase a computer and accompanying programs for $40,000 in order to modernize its mailing list maintenance and its accounting procedures. The College felt that if it was going to increase its revenue from publications sales, it had to modernize its mailing list operation, which had been improved from file cards to addressograph. The computer provides far greater flexibility in using the 11,000 unit mailing list and will also accommodate the growth that is anticipated. At the present time, the College is selling computer time to one non-profit organization and hopes eventually to share time with the National College of District Attorneys. However, the Dean of the latter institution has expressed no interest in purchasing computer time from NCCDLPD.

Challenges and Future Directions

Dean Ackerman says the major challenge of the College is money, and he feels he must spend too much of his time trying to generate new dollars through a variety of means.

Despite the restrictions imposed by inadequate funding, Dean Ackerman would like the College to take its training programs "on the road" to Public Defenders' offices around the country, where the lawyers in those offices would become the faculty and run the sessions. He sees this approach—possibly using a mobile home as a traveling office—as one way to avoid the increasing costs of bringing trainees to sessions (air fares) and putting them up in hotels, etc.

The Dean would also like to develop self-paced learning modules on videotape, with instruction booklets and training materials. Lawyers, individually or in groups, could use the materials and progress at their own pace and on their own time schedules.

Training Objectives/ Perceived Effectiveness

Instructors at NCCDLPD feel they have been very successful in achieving the four priority objectives of the College, as they identify them *(Table 8G)*. Instructors and participants alike tend to support the relevance of training and the multiplier effects displayed in *Table 9G*. (The only low rating concerns attempts by trainees to make organizational changes after completing training, but that more than likely reflects the status of the trainee in his/her organization.)

Participants and instructors are also complimentary of the soundness of NCCD's training design, except for some criticism by participants about the lack of information on their progress during the training program *(Table 10G)*.

TABLE 8G
INSTRUCTORS' PERCEPTIONS OF LEARNING OBJECTIVES (NCCD)

Objective	Perceived Achievement: Average Priority Rating (1-High; 7-Low)	Perceived Achievement: Category of Median Response
1. Improve participants' proficiency in their roles.	2.30	Very well
2. Update and increase participants' substantive knowledge.	2.65	Very well
3. Enable participants to introduce new techniques and procedures in their systems.	2.70	Very well
4. Enhance participants' understanding of their roles.	3.23	Very well
5. Increase communication and consultantion among professional peers/colleagues.	3.64	Fairly Well/ Very well
6. Enable participants to influence/promote change among other courts personnel.	5.22	Somewhat

TABLE 9G

MULTIPLIER EFFECTS (NCCD)

Aspect	Type of Respondent	Number/% Responding		Frequency of Response				
		N	%	YES		NO		No response
				N	%	N	%	N
Wish to return to institute.	Participant	101	97	93	92	8	8	3
Perception of participants' desire to return to institute.	Instructor	24	96	22	92	2	8	1
Perception of participants' actual return to institute.	Instructor	23	92	18	78	5	22	2
Share institute materials.	Participant	103	99	83	81	20	19	1
Perception of participants' use of institute materials.	Instructor	22	88	20	91	2	9	3
Use institute materials.	Instructor	24	96	20	83	4	17	1
Attempt to make institute-spurred personal changes.	Participant	102	98	85	83	17	17	2
Attempt to make institute-spurred organizational changes.	Participant	101	97	34	34	67	66	3
Recommend institute to others.	Participant	103	99	94	91	9	9	1

TABLE 10G

SOUNDNESS OF TRAINING DESIGN (NCCD)

Training Design Component	Type of Respondent	Number Responding	Category of Median Response	Frequency of Response					
				Not at all	Somewhat	Fairly well	Very well	Thoroughly	No Response
1. Degree based on profession's needs.	Participant	103 (99%)	Thoroughly	2 (2%)	6 (6%)	9 (9%)	27 (26%)	59 (57%)	1
	Instructor	23 (92%)	Very well	–	1 (4%)	1 (4%)	15 (65%)	6 (26%)	2
2. Degree individual's needs are considered.	Participant	104 (100%)	Fairly well	22 (21%)	16 (15%)	15 (14%)	28 (27%)	23 (22%)	–
	Instructor	23 (92%)	Very well	2 (9%)	1 (4%)	4 (17%)	12 (52%)	4 (17%)	2
3. Degree expected outcomes presented at outset of course.	Participant	99 (95%)	Fairly well	19 (19%)	19 (19%)	22 (22%)	28 (28%)	11 (11%)	5
	Instructor	21 (84%)	Very well	1 (5%)	3 (14%)	5 (24%)	9 (43%)	3 (14%)	4
4. Degree learning objectives clear and succinct.	Participant	99 (95%)	Fairly well	12 (12%)	17 (17%)	25 (25%)	29 (29%)	16 (16%)	5
	Instructor	21 (84%)	Very well	1 (5%)	2 (10%)	6 (29%)	6 (29%)	6 (29%)	4
5. Degree objectives are demonstrable.	Participant	101 (97%)	Very well	18 (18%)	7 (7%)	15 (15%)	36 (36%)	25 (25%)	3
	Instructor	23 (92%)	Very well	4 (17%)	2 (9%)	4 (17%)	8 (35%)	5 (22%)	2
6. Degree training provides opportunities to practice what is taught.	Participant	101 (97%)	Very well	34 (34%)	4 (4%)	6 (6%)	22 (22%)	35 (35%)	3
	Instructor	22 (88%)	Very well	1 (5%)	1 (5%)	4 (18%)	8 (36%)	8 (36%)	3

TABLE 10G (Continued)

Training Design Component	Type of Respondent	Number Responding	Category of Median Response	Frequency of Response					
				Not at all	Somewhat	Fairly well	Very well	Thoroughly	No Response
7. Degree participant informed of progress.	Participant	99 (95%)	Not at all	51 (52%)	8 (8%)	11 (11%)	16 (16%)	13 (13%)	5
	Instructor	19 (76%)	Fairly well	5 (26%)	3 (16%)	2 (11%)	6 (32%)	3 (16%)	6
8. Degree objectives, materials, and activities cohesive.	Participant	104 (100%)	Very well	3 (3%)	4 (4%)	14 (14%)	40 (39%)	43 (41%)	–
	Instructor	21 (84%)	Very well	–	1 (5%)	5 (24%)	9 (43%)	6 (29%)	4
9. Degree feedback/ evaluation useful.	Participant	100 (96%)	Fairly well/ Very well	33 (33%)	6 (6%)	11 (11%)	15 (15%)	35 (35%)	4
	Instructor	22 (88%)	Very well	2 (9%)	–	5 (23%)	8 (36%)	7 (32%)	3
10. Degree of opportunity to provide input to faculty.	Participant	103 (99%)	Very well	6 (6%)	11 (11%)	22 (21%)	35 (34%)	29 (28%)	1
11. Degree training upgraded and modified in relation to current state of the art.	Instructor	21 (84%)	Very well	–	1 (5%)	2 (10%)	10 (48%)	8 (38%)	4

Training Setting,
Techniques and Faculty

The adequacy of the training setting gets high marks from those participants and instructors surveyed, except for some dissatisfaction with the large size of the classes *(Table 11G).* Instructors have some concerns about management of the training events, especially in the orientation and training they are given *(Table 12G).*

Lectures are identified by both participants and faculty as the most used teaching method, with discussion groups and role playing or simulation utilized to a lesser extent *(Table 13G).* Participants find the role playing/simulation more useful than the lectures, with discussion groups rated a distant third.

Faculty receive an extremely high rating from participants in terms of substantive knowledge, practical experience and teaching ability *(Table 14G),* and the instructors tend to be invited to return to the College *(Table 15G).*

TABLE 11G
ADEQUACY OF THE TRAINING SETTING (NCCD)

			Frequency of Response		
Aspect	**Type Of Respondent**	**Number/% Responding**	**Yes**	**No**	**No Response**
1. Similarity of participants' roles/experience	Participant	102 (98%)	87 (85%)	15 (15%)	2
	Instructor	24 (96%)	21 (88%)	3 (11%)	1
2. Sufficiently small classes	Participant	101 (97%)	65 (64%)	36 (36%)	3
	Instructor	24 (96%)	20 (83%)	4 (17%)	1
3. Sufficiently long courses	Participant	100 (96%)	97 (97%)	3 (3%)	4
	Instructor	24 (96%)	19 (79%)	5 (21%)	1
4. Match between participant needs and instructor expertise	Participant	102 (98%)	91 (89%)	11 (11%)	2
	Instructor	23 (92%)	21 (91%)	2 (9%)	2
5. Availability of instructors outside of class	Participant	101 (97%)	81 (80%)	20 (20%)	3
	Instructor	23 (92%)	22 (96%)	1 (4%)	2
6. Sufficient number of contact hours between participants and instructors	Participant	102 (98%)	91 (89%)	11 (11%)	2
	Instructor	24 (96%)	17 (71%)	7 (29%)	1
7. Reinforcement of behavior/skills	Instructor	20 (80%)	17 (85%)	3 (15%)	5
8. Adequate support services	Participant	97 (93%)	92 (95%)	5 (5%)	7
	Instructor	24 (96%)	21 (88%)	3 (11%)	1
9. Adequate physical accommodations	Participant	102 (98%)	96 (94%)	6 (6%)	2
	Instructor	24 (96%)	23 (96%)	1 (4%)	1

TABLE 12G
MANAGEMENT OF TRAINING EVENTS (NCCD)

Aspect	CTP Instructor Response					
	Number Responding		Yes		No	
	N	%	N	%	N	%
1. Clarity of lines of authority/responsibility	24	96%	21	88%	3	13%
2. Adequacy of administrative procedures	24	96%	22	92%	2	8%
3. Instructors appraised of performance/expectations	25	100%	22	88%	3	12%
4. Instructors given orientation/staff training	24	96%	16	67%	8	33%
5. Program modification based on assessment	23	92%	20	87%	3	13%

TABLE 13G

FREQUENCY OF METHODS USED (NCCD)

Method		Median Response	
		CTP Participant	CTP Instructor
1.	Lectures	Often	Often
2.	Discussion groups	Some	Often
3.	Panel discussions	Some	Some
4.	Case studies	N/A	Some
5.	Role playing, simulation	Some	Often
6.	Videotaping	N/A	Often
7.	Moving pictures	N/A	Not at all
8.	On-the-job training	N/A	Not at all
9.	Computer Assisted Instruction	N/A	Not at all

TABLE 14G

PERCEIVED FACULTY COMPETENCE (NCCD)

			Frequency of Response					
Aspect	**Number Responding**	**Category of Median Response**	**Totally Unknowledgeable**	**Minimally Knowledgeable**	**Adequate**	**Quite Knowledgeable**	**Expert**	**No Response**
Degree of their substantive knowledge.	104 (100%)	Expert	–	1 (1%)	2 (2%)	40 (38%)	61 (59%)	–
Extensiveness of their practical experience.	103 (99%)	Expert	–	2 (2%)	1 (1%)	29 (28%)	71 (69%)	1
Teaching ability.	104 (100%)	Quite Knowledgeable	2 (2%)	2 (2%)	17 (16%)	52 (50%)	31 (30%)	–
			Not at all	**Once or twice**	**Periodically**	**Often**	**Continually**	**No Response**
Number times called upon staff/instructors since training for followup technical assistance.	103 (99%)	Not at all	69 (67%)	26 (25%)	7 (7%)	1 (1%)	–	1

TABLE 15G

FACULTY FOLLOWUP/CONT. RELATIONSHIP (NCCD)

Number of Times	Called upon by CTP Participants		Invited back to Institute	
	N	%	N	%
None	2	9	3	15
1 – 5	9	41	13	65
6 – 10	2	9	2	10
11 – 25	4	18	2	10
Greater than 25	5	23	0	0

INTEREST IN TEACHING AGAIN	
YES (%)	NO (%)
92	8

8. NATIONAL INSTITUTE FOR TRIAL ADVOCACY

The site visit to the National Institute for Trial Advocacy (NITA) took place November 27 and 28, 1978. The team visiting the site consisted of three members. There was a kick-off meeting with the Director and the Development and Southeast Regional Director. Later, members of the survey team interviewed appropriate personnel to complete the questionnaires.

History of the Institution

The National Institute for Trial Advocacy was founded in 1971. It came into being as a result of the recommendation of the American Bar Association's Special Task Force on Advocacy. That organization cited the lack of adequate training in advocacy as being "largely responsible for court congestion and for problems in the criminal field which are reaching constitutional dimensions." Spurred by the force of these statements, the American Bar Association joined with the American Trial Lawyers Association and the American College of Trial Lawyers as sponsors of NITA.

Since its inception NITA has been developing as an organization, as a conception, in its enrollment and its services. It is founded upon two simple ideas of considerable power: (1) while the American justice system upholds the adversarial system, it fails to adequately train young lawyers to function within it; and (2) trial advocacy can be taught, but the process may be more expensive when compared with other forms of legal education because of the need to have students perform individual problems under the supervision of experienced trial lawyers.

At the present time the Institute is conducting one national session at the University of Colorado at Boulder in the summer and five regional sessions each year. The number of participants involved in the national sessions is 150, and the number involved in the regional sessions is 310. Its top administrators, at the time of our visit were Professor Kenneth Broun, who directs the operations of the Institute at its offices in Chapel Hill, North Carolina; Professor Robert Oliphant, administrator-treasurer who is located at the NITA office in Minneapolis; and Christine Opp, who is engaged in administration and directs the Southeast Regional program. The other administrators are: Professors Irving Younger and Abraham Ordover, co-directors of the Northeast Regional; Professor Thomas F. Geraghty, director of the Midwest Regional; Professor Barbara Caulfield, director of the Northwest Regional, and Professor Charles Ares, director of the Southwest Regional.

The first NITA program in 1972 was a four-week training session involving 107 lawyers and law school professors. The program was repeated in 1973 for 157 participants. The four-week sessions proved to be exhausting and the last week counterproductive so that the residential sessions were shortened to three weeks. As the program evolved so did the NITA teaching method. Team teaching was always a part of the program, utilizing five teachers: a judge, two experienced attorneys, a team leader and an assistant. The judge and the attorneys were volunteers who contributed their time but whose expenses were covered. The team leader and his assistant were both experienced law school professors.

The teaching methodology involved heavy use of learning by doing, utilizing the technology of videotaping for critical evaluation of the students' performance of trial problems. The faculty was instructed to lecture little, to critique, and when feasible, to demonstrate correct methods. However, the emphasis was on student performance. The readings, case materials, and booklets of instruction to faculty and students underscored these instructional methods. These teaching methods make the program unique. The first NITA director, A. Leo Levin of the University of Pennsylvania Law School, was a major contributor to the method. Professor Levin served until 1973. His successor, Professor Robert E. Keeton, of Harvard Law School, also made major contributions to the teaching methods which became part of the program. Professor Kenneth Broun, of the University of North Carolina Law School, succeeded Professor Keeton in 1976 and through his writings, contribution to texts, teaching and administrative support, has continued the approach developed by the Institute's founders.

In 1975 NITA initiated a new series of regional programs while continuing with its three-week national session. The regional programs duplicated the national session but they were held in two segments of eight days, three to four months apart. It had been felt that many lawyers who needed the instruction that NITA could give them were not able to leave their firms and jobs for a three-week period. Regionalization made it possible for NITA participants to attend closer to home. The programs have been held at the University of North Carolina Law School (for the Southeast Region), Cornell University Law School (Northeast Region), Northwestern University Law School (Midwest Region), and the University of Arizona College of Law (Southwest Region). The northwest regional was held at the University of Oregon. The split session offered academic benefits inasmuch as it gave students a period of time to ponder what they had learned and what they still wanted to learn the second eight-day session.

In an attempt to reach more lawyers by offering equally intensive short programs, the Institute joined with the American Bar Association (ABA) in a consortium in 1976. Professor Broun feels that this consortium has been a success and has "demonstrated that significant training in trial advocacy can occur in shorter time periods." He also notes that the cost of these programs is considerably less than the NITA tuition.

Recently, in line with the expansion of its teaching techniques, the Institute has been developing and publishing a number of materials which form the basis for the NITA workshops. These include:

Kenneth S. Broun and James H. Seckinger, *Problems in Trial Advocacy*, (n.p.), National Institute for Trial Advocacy, 1977.

Kenneth S. Broun and James H. Seckinger, *Cases in Trial Advocacy*, (n.p.), National Institute for Trial Advocacy, 1977.

Michele Hermann, et al., *NITA Teachers Manual and Administrative Guide to 1977-78 Problems and Cases in Trial Advocacy*, (n.p.), National Institute for Trial Advocacy, 1977.

NITA consultants are currently working on additional case files and materials for use in the various NITA programs. These works assist in the replicability of the NITA program. They offer law schools and other programs the opportunity to duplicate the NITA techniques by giving them the materials that are used at NITA sessions. The Hermann book, in particular, provides the would-be teacher of trial advocacy with notes for critiquing the performance of students for each of the problems in the accompanying case and problem text, and for concrete approaches to the organization of classes. As a further supplement, in 1975 the Institute developed a series of videotape lectures by Professor Younger (co-director of the northeast regional) on evidence. In addition, a series of audio-visual materials that can be sent to law schools or others concerned with the development of trial advocacy programs has now been developed by the Institute.

In line with its goals and objectives, NITA has made an effort to train teachers in its trial advocacy teaching methods, normally through a program after the national session. In April 1978 for the first time, the Institute inaugurated a separate training session for teachers at Harvard University. In November 1978 a second session was held at the University of Arizona College of Law. Another session is planned for April 1979 at Harvard. Attendance at these sessions ranged from 40 to 60 with numerous people on waiting lists for each program, which demonstrates the interest of law school faculty in NITA's teaching methods.

These activities suggest that one of the sub-goals of NITA has been the dissemination of its methods in the law schools. Approximately 50 law schools have adopted NITA materials and educational approaches. To further this work, the Institute has been holding law school teacher training programs, such as the three-day program held after the 1976 Boulder session. The program was attended by clinical law teachers and interested and concerned people from local and state bar associations. Here they were exposed to the NITA approach to the teaching of trial advocacy. The staff at NITA believes that the NITA program can be adopted for law school use at no greater cost to the school than most other courses and for significantly less cost than live client clinical education. Harvard, North Carolina, Illinois, Notre Dame, Hofstra, Cornell, Hastings, Northwestern and many other law schools have already instituted NITA programs.

The Board of Trustees consists of judges from both the Federal and state benches and practicing attorneys.

The Board of Trustees has general administrative and financial responsibility for the national session, and the regionals are under the control of the regional directors. Overall educational policy is set by the director.

The current LEAA grant is $121,000. The annual NITA budget is about $650,000, with the largest proportion of the budget coming from the tuition fees of $1,250 per student. Since many students cannot afford this, the Institute has a scholarship policy utilizing LEAA funds to help defray tuition costs for public defenders and prosecutors, to the extent that funds are available. NITA also helps defray some of its costs by selling publications, tapes and other teaching aids to law schools. It is the recipient of grants from the ABA Section of Litigation, the ABA Section of Insurance, Negligence and Compensation, and the International Society of Barristers.

Other organizations sponsoring NITA include the American Bar Endowment, the American College of Trial Lawyers, and private foundations. The Association of Trial Lawyers of America, the Council on Legal Education for Professional Responsibilities, and the Practising Law Institute have contributed financially in the past.

In the presentation of its programs, NITA has affiliated with such organizations as the American College of Trial Lawyers, Section of Litigation of the American Bar Association, the Trial Lawyers Section of Bar Associations, and university law schools.

Goals and Objectives of the Institution

The National Institute for Trial Advocacy has been clear and steadfast in its goals: to contribute to the development of an adequately trained, professionally responsible trial bar, sufficient to serve the needs of justice in the United States; to train trial lawyers, and especially young lawyers, in advocacy; to develop methods and techniques for teaching and learning skills of the effective, professional trial advocate; to encourage the teaching and learning of these skills, and to train teachers for service in law schools and continuing legal education programs. NITA is encouraging the adoption of its methods of training in trial advocacy through the development of curricular materials, including the publication of books and manuals and the development and dissemination of videotapes for self-study. These goals are stated in a number of brochures, in the articles recently published by Professor Broun, and in NITA grant applications to the LEAA.

Programs

Trends/Current: NITA began its educational work with the establishment of a national program of four weeks' duration, held annually. After the first two national programs, it was decided that four weeks of such an intensive experience were too exhausting for students and faculty alike and that the final week was counterproductive. As a result, in 1974, the length of time for the national workshop was cut to three weeks.

Several factors led to the institution of regional workshops in 1975. As the program became known it was evident that even a three-week residential session entailed a sacrifice in terms of time and productivity that few agencies, especially smaller firms, could bear. Applicants from larger organizations exceeded the availability of places in the national programs. The cost of travel was another factor. As presently structured, the regional programs are identical in curriculum and time to the national program. However, they are broken into two parts, each part seven or eight days in length. The programs are held in locations around the country: Chapel Hill, North Carolina; Ithaca, New York; Chicago, Illinois; Tucson, Arizona; and Eugene, Oregon.

In 1976, to extend NITA's reach into the legal profession, the Institute joined with the ABA Consortium on Professional Education and with local bar groups to sponsor pilot and local state programs. These programs are shorter, running nine days rather than the fifteen to sixteen days of the national and regional workshops. The programs use videotapes of lectures given by Professor Irving Younger, a regional co-director of NITA's northeast regional. NITA is involved in the selection of at least one of the two teaching members of each program. NITA claims that the programs are as intensive as the national and regional programs, although they cover less material. They do provide the student, it is believed, a "significant training in trial advocacy....in shorter time periods." This type of program considerably reduces the cost to the student (in 1977 non-scholarship students were charged $1,000 for nationals and regionals, and charges for the ABA-NITA programs were from $500 to $750). The current fee for the regional is $1,250; the cost for the national program is the same.

The ABA-NITA program is not directly affiliated with NITA, nor does the Institute receive tuition from it. NITA is involved in a consulting capacity. A representative of the Institute goes to the state or locality that is interested in the program; the consultants find how many lawyers are interested in attending the program and how much time they can devote to it. They also determine what funding is available. A NITA-type program is then tailored to these factors. The charge per student is frequently based upon what the local organization itself can contribute.

For 1979 NITA plans a national program at Boulder, seven regional sessions and two special sessions for teachers. It will also continue to offer consultant assistance and support to the ABA-backed programs.

In summary, five-year trends suggest the following:

- *The focus of the Institute on trial advocacy has remained the same throughout its brief history.*
- *Implementation has involved a somewhat greater emphasis upon separate programs for teacher training.*
- *The programs have expanded considerably. In 1974 there was one national program; today there are seven regional programs and two teacher training programs in addition to the national program.*

- *The contact hours between faculty and students reflect this expansion, increasing from a total of 176 hours in 1974 to a total of 1,084 in 1978.*

- *The total number of participants has grown steadily. In 1974 there were 172; in 1975 there were 272; 283 participated in 1976; in 1977 there were 370; and in 1978 there were 564.*

Needs Analysis and Curriculum Development: The general consensus about the state of the art of trial advocacy supports the need for trial advocacy education. Chief Justice Warren Burger has given this need wide publicity to the general discomfort of the ABA and the law schools. On May 16th, at the opening of the American Law Institute meeting, he called for experiments by a limited number of law schools for one-year intensive special programs of advocacy training.

Beyond accepting the wisdom of the Chief Justice, the Institute has developed a number of approaches to needs assessment:

a. Entering lawyers have given their perception of their weaknesses as trial advocates. Exit questionnaires and follow-up reports suggest that these personal needs are being met. Professor Broun takes the evaluations into consideration in the preparation of the curriculum. Overall, they suggest that basic courtroom skills, oral presentations, and the ability to work with lay and expert witnesses are needed. On the basis of evaluation of needs by the participants, time is budgeted for the presentation of certain topics. The needs assessment governs the time invested. Generally, these evaluations have noted that the development of cross examination skills are critical. The needs assessment impacts on the larger topic areas rather than on the more detailed aspects of trial advocacy.

b. To measure the general perception of the need for trial advocacy training, Professor Broun called a meeting to discuss NITA educational objectives (December 1–3, 1978). The purpose of the conference was "to obtain the views of leading trial advocacy teachers with regard to what progress NITA has made in fulfilling ... objectives and what future steps NITA should take to better achieve its purposes." Presumably the inputs from the conference will help Professor Broun shape the curriculum of the Institute.

c. The director is responsible for the overall coordination of the curriculum. A representative from the national office, either the director, development director, or administrator, attends each session, regional and national. The regional curriculum is set by the director who makes sure that the program remains the same from region to region. That is not to say that creative ideas do not come out of the regional seminars or that they do not provide an input into overall curriculum design. However, it does say that changes are deliberate and that the overall "purity" of the program design varies very little.

Although outside groups are not consulted in the development of the curriculum, individual consultants are used. Team leaders are involved in creating case files on specific topics such as civil anti-trust cases or narcotics cases. These files are then edited by the director and incorporated in the materials, depending on their usability in NITA programs. The faculty determines the materials to be used in the sessions.

Faculty Selection and Development: There is no full-time teaching staff. The key administrators also teach part time. The rest of the faculty is selected by the director. The criteria include the potential faculty member's reputation and colleagues' knowledge of his or her abilities. The qualities sought include career experience as trial lawyers and facilitative personality with lawyers. The director and faculty are concerned that applicants have the ability to team teach. In the employment of minorities and women, NITA says it looks for faculty members who can be positive role models. Part of the faculty is paid and part is volunteer. Members of the faculty who are professional teachers and who serve as team leaders for NITA sessions receive a stipend. The unpaid members of the faculty are the volunteer practitioners and judges. The volunteers are usually people with courtroom experience who also have experience with NITA. Judges are selected as part of the volunteer staff for their ability to team teach. A variety of judges — "soft" judges and "hard" judges — are sought in order to expose students to the realities of judicial contact. "Hard" lawyers are enlisted to give students exposure to the harassment they will get in actual courtroom situations.

While these are the general, stated qualifications for the faculty, it was difficult for the site visitation group to ascertain with precision the number and qualifications of the actual faculty. There is a great deal of regional independence regarding who is asked to teach and why. As a result, sometimes rather weak faculty members seem to be involved in the programs at the regional level. Inaccurate forms and files for the faculty made it difficult to evaluate this important area of the Institute. There were gaps in the curriculum vitae of some of the faculty members. A number of the files on faculty, the site visitation group was told, were no longer relevant since some of the individuals are not currently used as faculty, while other individuals mentioned as faculty members did not appear in the files. Therefore, no accurate file of faculty exists, and it was impossible for the evaluators to obtain reliable information about the characteristics of the actual faculty. As one example of this situation, when the evaluators raised questions about the low number of minority group members shown in the faculty files, eight names were presented orally. None of these names appeared in the faculty files, and all eight are purported to be black. Material on these eight faculty members with regard to experience and areas of expertise was nonexistent.

Compensation for team leaders at all sessions is $3,750. National session team leaders receive a $1,250 expense allowance. Actual expenses are paid to regional team leaders. Compensation for all team assistants, both at the national and regional levels, is $2,000 (for 1979). Team leaders at teacher training sessions receive $500.

National and regional programs offer sessions to train the teachers and team leaders. On the Saturday prior to the beginning of a session, new faculty members and team leaders meet for two hours of preparatory work. In addition, while the sessions are in progress, team leaders observe the work of volunteer faculty. The Boulder and regional teams are expected to meet every day for at least one-half hour to discuss emergent problems. They discuss the problems of individual students and remedial work that can be done with them.

Prior to coming to the sessions faculty (and students) are expected to have read the case books and be ready to conduct the sessions. The actual preparation for the sessions can take from two days to two weeks. Approximately a week of the team leader's pre-session time is taken up with recruitment of the team.

Permanent Staff: There is no full-time teaching staff. At the time of our visitation, there were three secretarial/clerical persons in Chapel Hill and one in Minneapolis. In terms of permanent staffing, as opposed to full-time, the allocation of time is as follows: Professor Broun, the director of the Institute, is employed as a three-quarter time director and devotes 20% of his time to administration, 10% to curriculum development, 20% to marketing, and 30% to conference management and participation. Christine A. Opp, who has been a practicing lawyer, is employed full-time by NITA as director of development and fund raising. She devotes 40% of her time to administration, 10% to curriculum development, 20% to marketing, and 30% to conference management and participation. Professor Robert Oliphant, who is with the Institute for one-quarter of his time, devotes 25% to marketing and 75% to conference management and participation. The four secretarial/clerical staff members divide their time as follows: one full-time office manager/bookkeeper at Chapel Hill; one full-time clerical worker at Minneapolis; and two secretarial/clerical workers at Chapel Hill.

Effectiveness

Marketing of Programs and Selection of Trainees: The programs are marketed through law journals, brochures, and announcements. In general, they are directed to lawyers in the first five years or so of law practice. Usually there are more applicants for the national session than places for them.

Monitoring and Assessment of Programs, Faculty and Trainees: The director and development director oversee the programs; the regional directors monitor their faculties; and group leaders monitor assistants and volunteers.

In addition, faculty is evaluated by participants on a five-point scale for interaction, critiques and explanations, assignments and exercises. The questionnaire includes a section in which the participant can recommend changes. Students similarly evaluate the section leaders. Students rate special lecturers and personnel on their integration into the program and their general usefulness. Students also rate tapes and audio-visual presentations.

The evaluator, Dr. Russell Burris (see below), provides further performance data. He evaluates faculty on a ten-point summary scale. He also evaluates program aspects such as daily routine, the handling of special problems, full trial assignments, and the scheduling of full trial days.

Outside Evaluations: Evaluation has been part of the NITA program from its inception. Initially, evaluations were based on conferences between team leaders and the Board of Directors. Visitors were invited to the early sessions in 1972 and 1973 to observe the teaching and make evaluative comments. Evaluative conferences were held among the director, associate director, administrator and team leaders based on their observations. In 1974 NITA employed Dr. Russell Burris of the University of Minnesota as evaluation director. Dr. Burris has designed an extremely provocative and thoughtful approach for both the training process (see above) and the training outcome. In the former, he begins by asking participants to evaluate their own weaknesses and periodically checks them during training to see whether the student still sees himself as weak in vital areas of trial advocacy. He has found that students perceive themselves as gaining strength in areas of former weaknesses during the program. Students also give high ratings "to the overall program, and the program components give evidence to support the conclusion that the students' expectations were met. These expectations tended to match the stated project objective."

In addition, Burris had devised a system of external evaluation based on a careful definition of what constitutes strength in a trial lawyer. It is his belief that a teaching team comprised of a senior law professor, two experienced trial attorneys and a trial judge ought to be able to concur on these strengths. He therefore developed a checklist from their consensus which he used to evaluate students' progress. A post-evaluation at ten months after the program is also used.

Burris found that "Data do support the conclusion that improvement in the students' level of performance in trial skills was perceived by the participants, section leaders and references. Further, there is evidence that students gained methods which allowed them to continue to improve their skills in the period following their participation."

Other Institution Activities

Research: The director of the Institute has been in touch with, and consulted with, numerous groups studying psychological and sociological patterns in the courtroom and trial procedures. These groups have been encouraged to consult with NITA in their research and to use NITA programs as a research tool.

External Relations: In terms of outreach or collaboration with other institutions there appears to be none, with the exception of the ABA mentioned above. The director would like to expand in this area. He says he is familiar with most major trial advocacy programs and the materials available in the field of trial advocacy. As for the National College of District Attorneys and the National College of Criminal Defense Lawyers and Public Defenders, he feels the strengths of the two colleges in Houston are in pre-trial skills and office management, areas which NITA does not address. The Court Practice Institute is one of NITA's competitors. The two Houston colleges have curricular materials which compete with, but also complement, NITA's programs.

NITA mentions LEAA's support in their publications and brochures. Their brochure on learning and teaching trial advocacy, their general information brochure, as well as the individual announcements of programs all mention LEAA as a primary funding source.

Alumni Development: A magazine, *The Docket*, is distributed to all former participants of NITA. The Advocacy Club is a fund-raising organization which is directed to NITA alumni as well as those interested in the development of trial advocacy in general. However, there is no alumni association per se.

(Each of the eight training institutes was requested to supply lists of training participants for the purpose of selecting the case study sites and arranging interviews. The lists supplied by NITA proved to be incomplete and inaccurate to a far greater extent than any of the other institutes'. This may be a further reflection of the administrative shortcomings discussed in connection with the maintenance of current faculty files. In addition, the situation raises questions about NITA's ability to maintain contact with its alumni.)

Program and Related Costs

Budget History: Since 1972 the LEAA has contributed the following dollar amounts to help defray the costs of the National Institute for Trial Advocacy:

1972	$ 66,866
1973	$ 70,200
1974	$114,800
1975	$126,890
1976	$236,654
1977	$260,198
1978	$121,218

Information regarding funding for fiscal years 1976, 1977, and 1978 to the date of the team's visit to NITA at Chapel Hill was difficult, if not impossible, to obtain. The bookkeeper/office manager was relatively new to her job; financial records prior to 1978 are in the Treasurer's Office in Minneapolis; and 1978 budget records were not even available in the Chapel Hill office, since a local data process service was working on them. This organization's turnaround time is such that the bookkeeper does not always receive prompt monthly reports. (The Director notes that the turnaround time for these reports is usually two weeks, which is an improvement over the time lag experienced when NITA used the accounting services of the American Bar Association.)

Despite the decline in funding by LEAA, NITA has managed to increase its revenue from $575,445 in 1977 to $653,534 in 1978. Additional revenue was derived from contributions from the American College of Trial Lawyers ($26,000), The Advocacy Club ($35,224), increased sale of materials amounting to $100,070 and increased revenues from tuition (from $236,633 to $351,559).

However, due to the lack of year-to-date cost information, it is not possible to evaluate whether increased costs will be offset by the higher revenues. LEAA's decline in funding has impacted negatively on the relatively liberal scholarship policy NITA had previously implemented. There is no doubt that the decline in LEAA funding will mean a direct decline in the amount of scholarship aid which NITA will be able to give to public defenders and prosecutors.

Cost Analysis: The chart below presents the average cost per conference, the average number and cost per student, as well as the average cost per student per day.

CONFERENCE STATISTICS

Category	Total No. Conferences*	Average Cost per Conference	Average No. Students	Average Cost per Student	Average Cost per Student per Day
National	1	$139,134	150	$928	$ 62
Regional	5*	$ 42,862	62	$691	$ 99
Teachers	2	$ 10,270	49	$210	$105

**Indicates conferences with available data.*

There is considerable difference in the costs per student for each region. The range is from $1,047 per student for the northwest regional to $689 for participants at the midwest regional. The number of students in attendance seems to be the crucial factor since costs of materials and support services were slightly higher in the midwest regional. The northwest regional had 44 students in attendance in 1978 compared to 68 at the midwest regional. At the time of the evaluation team's visit, the northeast regional and the southeast regional could not be compared, since they either had not held their sessions or the figures were not available. However, the data for the first part of the programs showed the northeast regional operating on a $486 per participant basis while the southeast regional was costing $547 per participant.

Two teacher training sessions were conducted. One session held at Harvard in April drew 60 participants and operated at $177 per participant; the November meeting in Tucson drew 38 participants, and, as a result, cost $262 per participant. One national session was conducted with 150 participants and a cost of $928 per participant.

The figures for national and regional programs are based on costs provided by NITA.

Management

Policy Planning: Long-range planning, e.g., the Five-Year Plan, is conducted by the Director who consults with members of the board. The Director, Professor

Broun; the Treasurer/Administrator, Professor Oliphant; and Ms. Christine Opp, the Director of Development, meet once each quarter to discuss administrative matters and planning. Professor Oliphant also works as the planner and administrator of the national session. Regional session heads meet with the national organization for planning once each year.

While there is no policy manual per se, there are some written policies. Similarly, there is no formal organization chart, though there is a chart used for fund raising. (The national office has been working on the development of a policy manual. The director anticipates that it will be ready by spring, 1979.)

The Board of Trustees sets management and financial policy, while the director sets all programmatic and administrative policies. He delegates authority to the development director to coordinate regional programs with the Chapel Hill office. Regional directors are primarily responsible for their regions.

Budgeting: This is a joint production of Professor Broun, Professor Oliphant, Ms. Opp, and Ms. Schoenbaum. Ms. Schoenbaum develops the cost figures and Professor Oliphant does a draft budget. From this, Professor Broun develops a budget for the LEAA. The budget is a simple and conservative line item without performance measures. A local accountant has computerized all fiscal transactions. The system has been recommended by the auditors after having difficulty with the system used by the ABA. It has been in effect for approximately a year and a half. In terms of purchasing procedures, one person—the office manager—is responsible. She is also responsible for the inventory of office supplies. The largest single purchasing item deals with printing and duplication of the books used in the sessions. All purchases are approved by the director or Ms. Opp. Auditing is handled by Price, Waterhouse and Co. which conducts an independent audit.

For property management and inventory there exists a simple inventory. The sale of books and videotapes is handled through the Minnesota office. Records of the sale of books and videotapes and the complimentary copies sent to law school faculty are available in the Chapel Hill and Minnesota offices.

Written guidelines for payroll procedures call for the office manager to write the checks, which are countersigned. Check stubs are kept by the office and are transferred to the accountants. From this, a printout is made each month.

A central checking account and four regional checking accounts are maintained as well as a savings account for the Advocacy Club only. All regionals have a checking account of $1,000. These are reimbursable. Minnesota has an account for $10 to $20,000. This is reimbursable through Chapel Hill. The office manager/bookkeeper handles all disbursements for reimbursements from the regional and national (Minnesota—Boulder) account, as well as the payroll for faculty and expenses.

Ledgers consist of printouts which are bound on a monthly basis by the accounting firm, compared and controlled by the bookkeeper against the checking account. All transactions are made by check. There are no cash transactions (e.g., travel is not an item which is advanced). No one can get a cash advance and expenses are never advanced. All salaries are paid in arrears. Tuition is kept in the general ledger file and is cross-listed by region.

NITA maintains a list of basic secretarial procedures; however, this is not in the form of a manual. Job descriptions are similarly not formalized in a manual. The job description for each employee is continuously updated as a result of conferences held quarterly between the director, the development director and the office manager.

Salary classifications are informal. Most secretarial staff have not been there for a full year. There is an informal merit increase system. Approximately 15% of salaries is in the form of fringe benefits. These include a health plan and life insurance. The health plan is contracted out. Each employee receives a $10,000 life insurance policy. The Institute also purchases a retirement plan from TIAA/CREEF, after two full years of employment. These benefits are not in a manual but are on file in the office. Everyone other than secretaries (according to Ms. Opp, with whom the interview concerning personnel took place), is considered to be a consultant and is excluded from fringe benefits and the retirement plan.

Personnel: Staff recruitment takes place through general advertisements and interviews. Some personnel are recruited through temporary office services and remain with the Institute. NITA is an equal opportunity employer.

Staff relations are informal. Evaluations are done by Ms. Opp and Professor Broun. There is no written policy on staff attendance. They employ a flex-time concept which allows the staff to determine what is the best working schedule for themselves and to employ their own self-restraints.

All faculty and staff outside of Chapel Hill are considered consultants. The exception is Beverly Oliphant who does the secretarial work for the national programs. There are no written policies and procedures governing the work of the consultants. Past directors established policies allowing for maximum flexibility for regional directors. There is guidance via a manual which is given to all teachers with the teaching materials they must follow. Directors are given an administrative manual. In addition, there is an orientation program for all teachers.

NITA employs a special consultant to assist with management and fund raising. The consultant, Arthur Frantzreb, of McLean, Virginia, is paid a flat consultant fee plus expenses for his work. Mr. Frantzreb is said to be very generous with his time beyond his contractual obligations.

For the recruitment of teachers, team leaders, and volunteer faculty, see above. The supervision of the team falls upon the team leader who is in charge of controlling the team. He/she is aware of the strengths and weaknesses of the team. Participants, students, and other team members frequently are not that cognizant of the dynamics. Therefore, it falls to the team leader to direct the critiques — who critiques whom and when. The team leader is not supervised. However, each week the development director or the director makes a two- or three-day visit to a program.

Challenges and Future Directions

When questioned about the major challenges faced by the Institute, the director and development director had a number of interesting comments. One of the problems they see is that of being able to reach the number of trainees who need the help of NITA. Even with the large enrollment and the adoption of NITA's methods by law schools, there are far more lawyers who are graduating from law schools than could possibly be reached by these programs, to say nothing of those who graduated in the past. Another closely related problem is the lack of qualified team leaders—people who can direct NITA regionals or NITA-type programs. Because of the small number of qualified team leaders, the program has obvious limits in growth. The lack of money is another factor cited as inhibiting NITA's growth. The limitation of LEAA funding impacted upon the ability of NITA to give scholarships to lawyers who need aid. As a result, the program cannot reach some of the people who need NITA training the most. The lack of LEAA funding made NITA less able to give scholarship assistance; hence, it was harder to get public defenders and prosecutors to attend NITA sessions. At the same time, NITA programs are expanding. NITA has been making a greater effort to develop in-house training programs, in the hope that the NITA program can be utilized by more people. The director is also concerned that replication efforts by other groups continue to be of the same quality as NITA's national and regional programs.

While not expecting to make major changes in the program, Professor Broun would like to hear, as a result of the national evaluation, how usable the trial techniques were in raising the quality of justice in the system. He would like to know what else they could be doing to increase this impact. He feels that closer coordination among schools supported by LEAA should be an outcome of the impact study. He feels that NITA's teaching techniques could be transferred to other areas and facets of continuing legal education and would like to see these techniques adopted.

In general, while convinced that NITA is "the finest post-graduate legal institution in the country limited to trial work," he is receptive to change. This receptivity is apparent in the plan which calls for continuous evaluation and makes possible the translation of these evaluations into programmatic changes.

Training Objectives/ Perceived Effectiveness

NITA instructors believe they are very successful in achieving their four priority objectives, which are in accord with those of the institute (*Table 8H*). Participants and instructors rate the NITA programs as fully and very relevant, respectively. Instructors and participants generally give good ratings to the effectiveness of NITA, insofar as the multiplier effects shown in *Table 9H* are concerned. This seems to be consistent with the fact that 92% of the participants recommend NITA to others, and with the very high ratings participants, and instructors, give to the soundness of NITA's training design (*Table 10H*).

TABLE 8H
INSTRUCTORS' PERCEPTIONS OF LEARNING OBJECTIVES (NITA)

	Perceived Achievement	
Objective	Average Priority Rating (1-High; 7-Low)	Category of Median Response
1. Improve participants' proficiency in their roles.	2.00	Very well
2. Enable participants to introduce new techniques and procedures in their systems.	2.63	Very well
3. Update and increase participants' substantive knowledge.	2.89	Very well
4. Enhance participants' understanding of their roles.	3.11	Very well
5. Increase communication and consultation among professional peers/colleagues.	4.53	Fairly Well
6. Enable participants to influence/promote change among other courts personnel.	5.59	Somewhat

TABLE 9H

MULTIPLIER EFFECTS (NITA)

Aspect	Type of Respondent	Number/% Responding		Frequency of Response				
		N	%	YES		NO		No response
				N	%	N	%	N
Wish to return to institute.	Participant	25	100	15	60	10	40	–
Perception of participants' desire to return to institute.	Instructor	18	86	15	83	3	17	3
Perception of participants' actual return to institute.	Instructor	14	67	3	21	11	79	7
Share institute materials.	Participant	25	100	16	64	9	36	–
Perception of participants' use of institute materials.	Instructor	18	86	14	78	4	22	3
Use institute materials.	Instructor	20	95	17	85	3	15	1
Attempt to make institute-spurred personal changes.	Participant	24	96	22	92	2	8	–
Attempt to make institute-spurred organizational changes.	Participant	23	92	9	39	14	61	–
Recommend institute to others.	Participant	25	100	23	92	2	8	–

TABLE 10H

SOUNDNESS OF TRAINING DESIGN (NITA)

Training Design Component	Type of Respondent	Number Responding	Category of Median Response	Frequency of Response					
				Not at all	Somewhat	Fairly well	Very well	Thoroughly	No Response
1. Degree based on profession's needs.	Participant	25 (100%)	Very well	—	—	7 (28%)	8 (32%)	10 (40%)	—
	Instructor	20 (95%)	Thoroughly	—	—	1 (5%)	8 (40%)	11 (55%)	1
2. Degree individual's needs are considered.	Participant	25 (100%)	Very well	4 (16%)	3 (12%)	5 (20%)	10 (40%)	3 (12%)	—
	Instructor	21 (100%)	Very well	—	—	1 (5%)	11 (52%)	9 (43%)	—
3. Degree expected outcomes presented at outset of course.	Participant	25 (100%)	Fairly well	2 (8%)	8 (32%)	6 (24%)	6 (24%)	3 (12%)	—
	Instructor	20 (95%)	Very well	—	2 (10%)	4 (20%)	10 (50%)	4 (20%)	1
4. Degree learning objectives clear and succinct.	Participant	24 (96%)	Fairly well/ Very well	3 (13%)	5 (21%)	4 (17%)	9 (37%)	3 (12%)	1
	Instructor	21 (100%)	Very well	—	—	5 (24%)	8 (38%)	8 (38%)	—
5. Degree objectives are demonstrable.	Participant	25 (100%)	Very well	1 (4%)	—	4 (16%)	10 (40%)	10 (40%)	—
	Instructor	21 (100%)	Very well	—	—	—	11 (52%)	10 (48%)	—
6. Degree training provides opportunities to practice what is taught.	Participant	25 (100%)	Thoroughly	—	1 (4%)	2 (8%)	6 (24%)	16 (64%)	—
	Instructor	21 (100%)	Thoroughly	—	—	—	5 (24%)	16 (76%)	—

TABLE 10H (Continued)

Training Design Component	Type of Respondent	Number Responding	Category of Median Response	Frequency of Response					
				Not at all	Somewhat	Fairly well	Very well	Thoroughly	No Response
7. Degree participant informed of progress.	Participant	25 (100%)	Very well	1 (4%)	1 (4%)	3 (12%)	8 (32%)	12 (48%)	–
	Instructor	20 (95%)	Very well	–	–	2 (10%)	9 (45%)	9 (45%)	1
8. Degree objectives, materials, and activities cohesive.	Participant	25 (100%)	Very well	–	1 (4%)	3 (12%)	9 (36%)	12 (48%)	–
	Instructor	21 (100%)	Thoroughly	–	–	3 (14%)	6 (29%)	12 (57%)	–
9. Degree feedback/ evaluation useful.	Participant	25 (100%)	Thoroughly	1 (4%)	–	4 (16%)	5 (20%)	15 (60%)	–
	Instructor	20 (95%)	Very well/ Thoroughly	–	–	2 (10%)	8 (40%)	10 (50%)	1
10. Degree of opportunity to provide input to faculty.	Participant	25 (100%)	Very well	2 (8%)	3 (12%)	5 (20%)	8 (32%)	7 (28%)	–
11. Degree training upgraded and modified in relation to current state of the art.	Instructor	21 (100%)	Very well	–	1 (5%)	2 (9%)	9 (43%)	9 (43%)	–

Training Setting, Techniques and Faculty

While participants and instructors give generally high ratings to the adequacy of NITA training settings, they both have some negative reactions to the manner in which participants are mixed as to roles and experience (*Table 11H*). Instructors surveyed are very laudatory of the management of the training events (*Table 12H*).

Participants and faculty agree that role playing/simulation, coupled with videotaping, constitutes the major teaching method at NITA. Although this is supplemented by some degreee of lectures and group discussions (*Table 13H*), participants overwhelmingly identify the role playing/simulation/videotaping method as the most useful.

NITA's faculty is given a very high rating by participants, in terms of substantive knowledge, practical experience, and teaching ability (*Table 14H*), and the instructors tend to be invited back to NITA training sessions (*Table 15H*).

Other Comments

Former NITA attendees were highly complimentary of the training they received. In response to a question regarding the strengths and weaknesses of the training, participants cited both positive and negative reactions. Among the strengths: the practicality of the training, faculty expertise, smooth organization, well-balanced methodology, use of training aids, and provision for feedback to participants were part of a strong positive consensus. Under weaknesses, the participants identified the following: the course was too lengthy, the scope was inadequate, more variety was needed in the methods used, and the participants were uneven in experience and role types.

TABLE 11H
ADEQUACY OF THE TRAINING SETTING (NITA)

Aspect	Type Of Respondent	Number/% Responding	Frequency of Response Yes	 No	 No Response
1. Similarity of participants' roles/experience	Participant	22 (88%)	10 (45%)	12 (55%)	3
	Instructor	18 (86%)	9 (50%)	9 (50%)	3
2. Sufficiently small classes	Participant	25 (100%)	24 (96%)	1 (4%)	–
	Instructor	20 (95%)	20 (100%)	–	1
3. Sufficiently long courses	Participant	24 (96%)	21 (88%)	3 (12%)	–
	Instructor	20 (95%)	18 (90%)	2 (10%)	1
4. Match between participant needs and instructor expertise	Participant	23 (92%)	18 (78%)	5 (22%)	2
	Instructor	19 (90%)	19 (100%)	–	2
5. Availability of instructors outside of class	Participant	25 (100%)	24 (96%)	1 (4%)	–
	Instructor	19 (90%)	19 (100%)	–	2
6. Sufficient number of contact hours between participants and instructors	Participant	24 (96%)	22 (92%)	2 (8%)	1
	Instructor	20 (95%)	19 (95%)	1 (5%)	1
7. Reinforcement of behavior/skills	Instructor	20 (95%)	20 (100%)	–	1
8. Adequate support services	Participant	23 (92%)	22 (96%)	1 (4%)	2
	Instructor	20 (95%)	17 (85%)	3 (15%)	1
9. Adequate physical accommodations	Participant	24 (96%)	24 (100%)	–	1
	Instructor	19 (90%)	19 (100%)	–	2

TABLE 12H
MANAGEMENT OF TRAINING EVENTS (NITA)

Aspect	CTP Instructor Response					
	Number Responding		Yes		No	
	N	%	N	%	N	%
1. Clarity of lines of authority/responsibility	21	100%	20	95%	1	5%
2. Adequacy of administrative procedures	20	95%	19	95%	1	5%
3. Instructors appraised of performance/expectations	20	95%	19	95%	1	5%
4. Instructors given orientation/staff training	20	95%	18	90%	2	10%
5. Program modification based on assessment	17	81%	17	100%	–	

TABLE 13H

FREQUENCY OF METHODS USED (NITA)

Method	Median Response	
	CTP Participant	CTP Instructor
1. Lectures	Some	Some
2. Discussion groups	Some	Some
3. Panel discussions	Not at all	Not at all
4. Case studies	N/A	Not at all
5. Role playing, simulation	Most of the time	Most of the time
6. Videotaping	N/A	Most of the time
7. Moving pictures	N/A	Not at all
8. On-the-job training	N/A	Not at all
9. Computer Assisted Instruction	N/A	Not at all

TABLE 14H

PERCEIVED FACULTY COMPETENCE (NITA)

Aspect	Number Responding	Category of Median Response	Frequency of Response					
			Totally Unknowledgeable	Minimally Knowledgeable	Adequate	Quite Knowledgeable	Expert	No Response
Degree of their substantive knowledge.	23 (92%)	Quite Knowledgeable	–	–	4 (17%)	8 (35%)	11 (48%)	2
Extensiveness of their practical experience.	25 (100%)	Expert	–	–	3 (12%)	7 (28%)	15 (60%)	–
Teaching ability.	25 (100%)	Quite Knowledgeable	–	3 (12%)	4 (16%)	11 (44%)	7 (28%)	–
			Not at all	Once or twice	Periodically	Often	Continually	No Response
Number times called upon staff/instructors since training for followup technical assistance.	25 (100%)	Not at all	20 (80%)	4 (16%)	1 (4%)	–	–	–

TABLE 15H

FACULTY FOLLOWUP/CONT. RELATIONSHIP (NITA)

Number of Times	Called upon by CTP Participants		Invited back to Institute	
	N	%	N	%
None	5	29	1	5
1 – 5	4	23	11	55
6 – 10	4	23	7	35
11 – 25	2	12	0	0
Greater than 25	2	12	1	5

INTEREST IN TEACHING AGAIN

YES (%)	NO (%)
100	0

OTHER TRAINING–RELATED DATA

Members of Institute Governing Boards

Members of the governing boards of the eight training institutes were surveyed by means of a mail questionnaire. Their responses did not differ significantly from institute to institute.

In general, board members expressed the following views:

- *Most feel they influence policies relating to finance and program goals, with lesser influence on policies concerning staffing and curriculum;*
- *Most respondents believe that feedback from participants, normally through informal discussion, influences board policy decisions;*
- *Most board members say they are involved to some extent in curriculum development and selection of topics, but not in other institute activities. NCCD members say they are also involved in development of instructional methods, and AJC Board members claim involvement in a wide range of activities.*

No consensus exists across institute lines as to training objectives that are considered essential. Most institutes, except AJC and NITA, feel that influencing collegial communication is least important.

Sanctioning and Support of Training

In the case of all eight training institutes, participants said they had very strong desires to attend training; they support and endorse the concept; and they were encouraged to a high degree by their employer/organization to attend.

Instructors at the eight institutes concur in the above expressions and state that the institute-specific training has been endorsed by appropriate professional organizations.

Cost Comparisons

Any examination of the comparative training costs of the eight CTP institutes must recognize the potential for disparities caused by the following factors:

- *Each institute calculated its own training program costs, using its own system; that is, travel/housing, staff salaries, overhead, etc., are handled in different ways by each institute;*
- *No uniform system was used for charging overhead costs to specific training programs;*
- *Each institute was the sole source of data concerning attendance, instructional hours, and expenses associated with its training programs; and*
- *The sophistication of the accounting systems utilized by the eight training institutes varied substantially.*

All of the cost data which appear in the preceding sections dealing with the CTP institutes, as well as the data appearing in *Table 16*, were reviewed and verified by the respective institutes.

In reviewing the table on Comparative Training costs, it is clear that the most expensive program is the Appellate Judges Seminar program of the Institute of Judicial Administration. It is more than twice as costly as any other program, in terms of cost per student per day, and cost per student. This should not be surprising in view of the fact that the program covers all travel expense and subsistence for the senior and intermediate appellate judges who participate in the two-week resident programs at New York University. (LEAA funds, of course, are not used for travel and subsistence.) It must also be noted that the Appellate Judges Seminars received extremely high praise from the participants interviewed at the 12 case study sites. Further, a number of law professors, other trainers/educators, and supervisors rated the program as probably the best of the training vehicles available for appellate judges.

The next most expensive training program, also a resident program in which travel and subsistence costs are included, is the Defender Management Workshop of the National College of Criminal Defense Lawyers and Public Defenders. It is because of a combination of the high costs, low attendance, and a competing program financed by LEAA that the NCCDLPD has decided to terminate the program.

All of NITA's training programs appear to be running at the higher levels of cost. Its national and regional programs rank among the highest in average cost per student. NITA's regional and teachers workshops are among the most expensive in terms of average cost per student per day.

The resident programs of the National Judicial College also appear to be in the high range of average cost per student, but lower in cost per student per day. ICM's 3-5 day workshops are among the highest in average cost per student per day.

Both the National College of District Attorneys and the National College of Criminal Defense are in the low range of training costs. They share and use nearly identical space for their resident programs in Houston, but NCCDLPD's costs appear to be twice as high as NCDA's because NCDA separates its overhead costs from program costs.

Another program which deserves mention for low training costs is the Appellate Judges Conference of the ABA. However, like NCDA, the "low costs" may be misleading because of the way overhead costs are applied.

Questions concerning the cost effectiveness of the eight training institutes will be discussed in Chapter III, Conclusions and Recommendations.

Training Process Comparisons

Based on our analysis of the eight training institutes and the survey of training participants, four elements of the training process emerge as keys to the effectiveness of the institutes. These are (1) needs identification or assessment, (2) faculty selection, (3) faculty preparation or training, and (4) monitoring and assessment of programs. Based on the data we have collected and analyzed, the eight CTP institutes are rated in each category as shown below:

Training Process Elements	IJA	AJC	NJC	AAJE	ICM	NCDA	NCCD	NITA
Needs Assessment	Strong	Inadequate	Strong	Inadequate	Adequate	Adequate	Inadequate	Strong
Faculty Selection	Strong	Adequate	Strong	Adequate	Adequate	Adequate	Adequate	Adequate
Faculty Preparation	Adequate	Adequate	Strong	Very Weak	Inadequate	Adequate	Inadequate	Adequate
Monitoring and Assessment of Programs	Strong	Adequate	Adequate	Very Weak	Adequate	Inadequate	Adequate	Strong

TABLE 16
COMPARATIVE TRAINING COSTS

Training Institute	Type of Training Program	Total No. Of Events	Avg. Cost Per Event	Avg. No. Of Students	Avg. Cost Per Student	Avg. Cost Per Student Per Day
IJA	Appellate Judges Seminars (resident)	2	$ 46,964	21.5	$ 2,184	$ 218
AJC (ABA)	Appellate Judges Seminar Series	5	$ 5,600	34	$ 164	$ 41
NJC	Resident	36	$ 30,501	35	$ 871	$ 58
	Extension	14	$ 829	65	$ 13	$ 4
	Special & Innovative	1	N.A.	22	N.A.	N.A.
	All (Average)				$ 472	$ 70
AAJE	National	18	$ 5,804	22	$ 264	$ 61
	In-State	10	$ 6,496	90	$ 72	$ 34
ICM	Court Exec. Development (resident)	1	$ 65,451	193	$ 339	$ 68
	Workshops, 3-5 days, (resident)	19	$ 11,636	31	$ 375	$ 107
	In-State Workshops	5	$ 13,826	38	$ 364	$ 97
NCDA	Resident	4	$ 18,258	71	$ 257	$ 33
	Short Courses	5	$ 5,232	94	$ 56	$ 22
	Trial Techniques	2	$ 6,150	123	$ 50	$ 13
NCCDLPD	Resident	2	$ 46,239	92	$ 503	$ 50
	Workshops, 3-day	4	$ 13,823	109	$ 127	$ 42
	Defender Mgmt. Workshop	1	$ 24,639	74	$ 333	$ 111
NITA	National	1	$139,134	150	$ 928	$ 62
	Regional	5	$ 42,862	62	$ 691	$ 99
	Teachers	2	$ 10,270	49	$ 210	$ 105

B. IMPACT FINDINGS

The contents of this section of the report deal solely with data collected during or in connection with the field visits to the 12 case study sites, from the following sources:

- *Interviews with CTP participants;*
- *Mail questionnaire responses from CTP participants;*
- *Interviews with non-participant comparisons; and*
- *Interviews with supervisors and peers of CTP participants.*

Before being queried concerning training experiences, CTP participants and comparisons were asked if there had been any significant changes in their court systems over the past five years. While there was no difference of consequence between the answers of the two groups (the vast majority acknowledged changes), appellate judges and prosecutors who had attended CTP institutes were more cognizant of systemic change (See *Table 17*).

This finding of systemic change is consistent with the contemporary trend nationally of improving and updating the justice system. Within the context of this atmosphere of change, this study has sought to determine whether justice system training and continuing education have contributed to these changes, in what areas change has been influenced by training, and the extent of this influence.

PERSONAL CHANGE AND ATTRIBUTIONS

The CTP participants and comparison group members were asked whether they had experienced personal/professional changes over the past five years, in five specific categories: substantive knowledge, procedures they utilize, their personal skills, their use of resources, and the priorities they attach to their responsibilities. Where changes were acknowledged, the respondents were then asked to what they attributed those changes. The responses to these sets of questions are displayed by role group in Tables 18A through 25B.

Appellate Judges

Appellate judges of the intermediate appeals courts and the courts of last resort who had participated in CTP institutes claimed significantly more change in their personal performances over the past five years than did those appellate judges in the comparison group (*Table 18A*). These differences were most pronounced in the categories of procedures used, substantive knowledge, personal skills and use of resources. While some of the CTP participants cited training as the reason for their changes, both the participants and the comparison respondents overwhelmingly attributed the changes to experience, changes in their court system, or "other" causes. Training and education received a low level of attribution. (See *Table 18B*). (It should be noted that only CTP participants attributed changes to training.)

TABLE 17
PERCEPTIONS OF (5-YEAR) SYSTEMIC CHANGE

	CTP Participants						Comparisons					
	Number Responding		Yes		No		Number Responding		Yes		No	
Role Group	N	%	N	%	N	%	N	%	N	%	N	%
Appellate Judges	44	96%	40	91%	4	9%	23	96%	19	83%	4	17%
Trial Judges	119	98%	98	82%	21	18%	66	100%	53	80%	13	20%
Private Attorneys	45	100%	28	62%	17	38%	6	100%	4	67%	2	33%
Prosecutors	94	98%	71	76%	23	25%	60	100%	38	63%	22	37%
Public Defenders	71	99%	50	70%	21	30%	27	96%	19	70%	8	30%
Court Administrators	30	100%	28	93%	2	7%	14	100%	13	93%	1	7%
Court Clerks	12	100%	12	100%	–		5	100%	5	100%	–	
Others	43	96%	34	79%	9	21%	7	100%	3	43%	4	57%

TABLE 18A
PRESENCE OF CHANGE (APPELLATE JUDGES)

	CTP Participants						Comparisons					
	Number Responding		Responding Yes		Responding No		Number Responding		Responding Yes		Responding No	
Type of Change	N	%	N	%	N	%	N	%	N	%	N	%
Substantive Knowledge	45	98%	34	76%	11	24%	24	100%	14	58%	10	42%
Procedures	45	98%	32	71%	13	29%	23	96%	8	35%	15	65%
Personal Skills	45	98%	26	58%	19	42%	22	92%	9	40%	13	59%
Resources	45	98%	28	62%	17	38%	23	96%	10	44%	13	57%
Priorities	42	91%	15	36%	27	64%	24	100%	8	33%	16	67%

TABLE 18B
ATTRIBUTION OF CHANGE (APPELLATE JUDGES)

Attribution	Substantive Knowledge		Procedures		Personal Skills		Resources		Priorities	
	Part.	Comp.	Part.	Comp.	Part.	Comp.	Part.	Comp.	Part.	Comp.
1. Experience	62%	57%	9%	14%	64%	67%	22%	30%	33%	25%
2. System change	6%	7%	28%	43%	–	–	19%	30%	–	25%
3. New laws	6%	14%	13%	14%	–	–	–	–	7%	13%
4. Training	–	–	12%	–	16%	–	7%	–	–	–
5. Advice	–	–	3%	–	–	11%	4%	–	7%	–
6. Education	6%	7%	–	–	–	11%	–	–	–	–
7. Reading	6%	–	–	–	4%	–	3%	10%	–	–
8. Other	15%	14%	34%	29%	16%	11%	44%	30%	53%	38%

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Among those appellate judges who did attribute changes to training received at CTP institutes, IJA and AAJE, the latter for improvements in opinion writing, were most often credited.

Trial Judges

Among the trial judges surveyed at the 12 case study sites, there was little difference between the CTP participants and the comparison jurists in the degree of personal/professional changes they have experienced during the past five years. In three of the five categories of change, a slightly higher percentage of judges in the comparison group claimed to have changed than did judges in the participant group (*Table 19A*). Training received more credit for these changes from participants, but overall, training was not a major factor (being cited by about 20 percent of the participant judges in three of the five change categories). Major attributions were experience and systemic changes. (See *Table 19B*).

In all areas of change, NJC, which had the highest number of participants in the sample, was the institute most frequently mentioned as having influenced the changes made by participants. AAJE also received considerable mention in the change category of personal skills, largely for legal writing. Various state judicial conferences were also given credit in most categories of change.

Private Attorneys

There was a major inconsistency in the series of answers given by private attorneys regarding personal changes over the past five years. Attorneys in the CTP participant group cited changes to a substantially greater extent in the categories of substantive knowledge and personal skills, but more attorneys in the comparison group claimed changes in procedures used and, to a lesser extent, in the use of resources. (See *Table 20A*). Training was cited as an important factor of change only in the area of personal skills, and by only 28 percent of the participant group. Experience was the overriding factor to which all private attorneys in both groups attributed their personal changes. (See *Table 20B*).

Prosecutors

A substantially higher percentage of prosecutors in the CTP participant group claimed changes in the procedures they use than did prosecutors in the comparison group. However, in all other categories of change, more comparison prosecutors claimed changes than did CTP participants (*Table 21A*). Changes in all five categories were attributed to training by a small percentage of participant prosecutors (10 percent to 16 percent), but overall, experience on the job was the major reason cited. (See *Table 21B*).

In all areas of change where training was the attribution, NCDA was cited most frequently. NITA was also mentioned, as were non-CTP institutes, most notably the Cornell Institute, the National Trial Lawyers Association, and statewide prosecutor training.

TABLE 19A
PRESENCE OF CHANGE (TRIAL JUDGES)

Type of Change	CTP Participants						Comparisons					
	Number Responding		Responding Yes		Responding No		Number Responding		Responding Yes		Responding No	
	N	%	N	%	N	%	N	%	N	%	N	%
Substantive Knowledge	118	98%	86	73%	32	27%	65	98%	49	75%	16	25%
Procedures	116	96%	70	60%	46	40%	63	95%	39	62%	24	38%
Personal Skills	117	97%	75	64%	42	36%	65	98%	40	62%	25	39%
Resources	117	97%	53	45%	64	55%	65	98%	35	54%	30	46%
Priorities	115	95%	38	33%	77	67%	64	97%	21	33%	43	67%

TABLE 19B
ATTRIBUTION OF CHANGE (TRIAL JUDGES)

Attribution	Substantive Knowledge		Procedures		Personal Skills		Resources		Priorities	
	Part.	Comp.	Part.	Comp.	Part.	Comp.	Part.	Comp.	Part.	Comp.
1. Experience	46%	50%	29%	38%	65%	79%	20%	53%	35%	38%
2. System change	2%	13%	9%	22%	–	3%	20%	28%	12%	24%
3. New laws	8%	4%	15%	14%	–	–	2%	–	6%	–
4. Training	19%	2%	20%	–	23%	3%	12%	–	12%	5%
5. Advice	–	–	2%	3%	–	3%	6%	–	–	5%
6. Education	1%	2%	–	3%	1%	–	2%	–	–	5%
7. Reading	11%	17%	2%	3%	6%	5%	4%	3%	–	–
8. Personal reasons	–	2%	5%	–	–	–	8%	–	–	–
9. Politics	–	–	2%	3%	–	–	2%	–	–	–
10. Other	12%	10%	18%	16%	4%	8%	24%	16%	35%	24%

TABLE 20A
PRESENCE OF CHANGE (PRIVATE ATTORNEYS)

	CTP Participants						Comparisons					
	Number Responding		Responding Yes		Responding No		Number Responding		Responding Yes		Responding No	
Type of Change	N	%	N	%	N	%	N	%	N	%	N	%
Substantive Knowledge	45	100%	36	80%	9	20%	6	100%	2	33%	4	67%
Procedures	45	100%	26	58%	19	42%	6	100%	6	100%	—	
Personal Skills	45	100%	37	82%	8	18%	6	100%	4	67%	2	33%
Resourcus	45	100%	28	62%	17	38%	6	100%	4	67%	2	33%
Priorities	45	100%	23	51%	22	49%	6	100%	3	50%	3	50%

TABLE 20B
ATTRIBUTION OF CHANGE (PRIVATE ATTORNEYS)

Attribution	Substantive Knowledge		Procedures		Personal Skills		Resources		Priorities	
	Part.	Comp.	Part.	Comp.	Part.	Comp.	Part.	Comp.	Part.	Comp.
1. Experience	81%	100%	54%	100%	67%	100%	37%	75%	57%	100%
2. System change	–	–	8%	–	–	–	11%	–	–	–
3. New laws	3%	–	4%	–	–	–	–	–	–	–
4. Training	3%	–	8%	–	28%	–	–	–	–	–
5. Advice	–	–	4%	–	–	–	7%	–	–	–
6. Education	3%	–	–	–	–	–	4%	–	–	–
7. Reading	6%	–	–	–	–	–	7%	–	–	–
8. Personal reasons	3%	–	15%	–	3%	–	4%	–	–	–
9. Other	3%	–	8%	–	3%	–	30%	25%	44%	–

TABLE 21A
PRESENCE OF CHANGE (PROSECUTORS)

	CTP Participants						Comparisons					
	Number Responding		Responding Yes		Responding No		Number Responding		Responding Yes		Responding No	
Type of Change	N	%	N	%	N	%	N	%	N	%	N	%
Substantive Knowledge	95	99%	80	84%	15	16%	59	98%	51	86%	8	14%
Procedures	92	96%	66	72%	26	28%	59	98%	34	58%	25	42%
Personal Skills	95	99%	82	86%	13	14%	60	100%	54	90%	6	10%
Resources	95	99%	56	59%	39	41%	59	98%	37	63%	22	37%
Priorities	94	98%	50	53%	44	47%	60	100%	33	55%	27	45%

TABLE 21B
ATTRIBUTION OF CHANGE (PROSECUTORS)

Attribution	Substantive Knowledge		Procedures		Personal Skills		Resources		Priorities	
	Part.	Comp.	Part.	Comp.	Part.	Comp.	Part.	Comp.	Part.	Comp.
1. Experience	64%	74%	44%	49%	78%	83%	28%	51%	38%	47%
2. System change	6%	–	19%	27%	1%	2%	13%	3%	10%	6%
3. New laws	4%	4%	3%	6%	–	–	–	–	2%	3%
4. Training	10%	–	16%	3%	14%	4%	15%	–	13%	3%
5. Advice	1%	–	–	6%	–	–	2%	–	–	–
6. Education	–	2%	2%	–	–	2%	–	3%	–	–
7. Reading	4%	–	3%	–	1%	–	–	5%	2%	–
8. Personal reasons	1%	2%	2%	–	1%	–	2%	3%	–	–
9. New Management	–	–	2%	–	–	–	2%	–	2%	–
10. Other	10%	10%	11%	9%	5%	10%	39%	35%	33%	41%

Public Defenders

A greater percentage of defenders in the comparison group claimed changes in their performances over the past five years than did defenders in the CTP participant group, especially in three categories: procedures, personal skills and priorities. (See *Table 22A*). Although participant defenders cited training as the cause of change in four categories, only with respect to personal skills was the attribution of some significance (18 percent). Overall, experience on the job was cited as the major factor of change by defenders in both the participant and comparison groups (*Table 22B*).

Where changes were attributed to training, NCCDLPD was most often mentioned.

Court Administrators

The number of court administrators surveyed at the 12 case study sites was generally low, but it is nevertheless significant that substantially more in the CTP participant group claimed personal changes in all five categories than did administrators in the comparison group (*Table 23A*). It is also noteworthy that training was cited as the reason for changes to a far greater extent by CTP participants in this role group than in any other (16 percent to 32 percent). Even so, experience on the job and changes in the court system outweighed training as change factors. (See *Table 23B*). Not surprisingly, ICM was the CTP institute most often mentioned by those citing training as a change cause.

Court Clerks

Tables 24A and *24B* display the results of the surveys of court clerks in the 12 case study sites. Changes were attributed to training by good percentages of participants, but the overall sample of this role group is too small to analyze closely. When training was cited, ICM was the most oft-mentioned CTP institute.

Others

The "others" group is a potpourri of court-related individuals including investigators, law clerks, staff attorneys, etc. Because of the diversity of role groups, as well as training programs attended, analysis of this group is inappropriate. *Tables 25A* and *25B* are included for review. As can be seen, experience and system changes are again cited more often as causes of change. Only CTP participants mentioned training as attribution although comparisons attended as many training courses over the past five years.

TABLE 22A
PRESENCE OF CHANGE (PUBLIC DEFENDERS)

	CTP Participants						Comparisons					
	Number Responding		Responding Yes		Responding No		Number Responding		Responding Yes		Responding No	
Type of Change	N	%	N	%	N	%	N	%	N	%	N	%
Substantive Knowledge	72	100%	56	78%	16	22%	28	100%	22	79%	6	21%
Procedures	72	100%	46	64%	26	36%	28	100%	21	75%	7	25%
Personal Skills	72	100%	63	88%	9	13%	28	100%	26	93%	2	7%
Resources	71	99%	44	62%	27	38%	28	100%	17	61%	11	39%
Priorities	71	99%	27	38%	44	62%	28	100%	15	54%	13	46%

TABLE 22B
ATTRIBUTION OF CHANGE (PUBLIC DEFENDERS)

Attribution	Substantive Knowledge		Procedures		Personal Skills		Resources		Priorities	
	Part.	Comp.	Part.	Comp.	Part.	Comp.	Part.	Comp.	Part.	Comp.
1. Experience	75%	64%	60%	48%	79%	84%	38%	25%	27%	64%
2. System change	–	–	9%	5%	–	–	14%	6%	23%	7%
3. New laws	4%	9%	4%	10%	–	–	–	–	–	–
4. Training	6%	–	9%	–	18%	4%	7%	6%	–	–
5. Advice	–	5%	–	–	–	–	5%	19%	–	–
6. Education	–	5%	–	5%	–	–	–	–	–	–
7. Reading	9%	5%	–	5%	–	4%	–	6%	–	–
8. Personal reasons	2%	–	4%	–	–	–	5%	6%	–	–
9. New Management	–	–	2%	5%	–	–	–	–	–	–
10. Other	6%	14%	11%	24%	3%	8%	31%	31%	50%	29%

TABLE 23A
PRESENCE OF CHANGE (COURT ADMINISTRATORS)

	CTP Participants						Comparisons					
	Number Responding		Responding Yes		Responding No		Number Responding		Responding Yes		Responding No	
Type of Change	N	%	N	%	N	%	N	%	N	%	N	%
Substantive Knowledge	30	100%	22	73%	8	27%	14	100%	10	71%	4	29%
Procedures	29	97%	20	69%	9	31%	14	100%	6	42%	8	57%
Personal Skills	29	97%	22	76%	7	24%	14	100%	10	71%	4	29%
Resources	30	100%	15	50%	15	50%	14	100%	6	43%	8	57%
Priorities	30	100%	16	53%	14	47%	13	93%	3	23%	10	77%

TABLE 23B
ATTRIBUTION OF CHANGE (COURT ADMINISTRATORS)

Attribution	Substantive Knowledge		Procedures		Personal Skills		Resources		Priorities	
	Part.	Comp.	Part.	Comp.	Part.	Comp.	Part.	Comp.	Part.	Comp.
1. Experience	55%	90%	42%	17%	46%	75%	40%	–	44%	–
2. System change	5%	–	16%	50%	–	–	20%	–	–	33%
3. New laws	5%	–	5%	–	–	–	–	–	–	–
4. Training	18%	10%	16%	–	32%	–	20%	–	25%	–
5. Advice	5%	–	11%	17%	5%	–	–	–	–	–
6. Reading	5%	–	–	–	–	–	–	–	–	–
7. New Management	–	–	–	–	–	13%	–	–	–	33%
8. Professional Organization	–	–	–	–	–	–	7%	17%	–	–
9. Other	9%	–	11%	17%	18%	13%	13%	83%	31%	33%

TABLE 24A
PRESENCE OF CHANGE (COURT CLERKS)

	CTP Participants						Comparisons					
	Number Responding		Responding Yes		Responding No		Number Responding		Responding Yes		Responding No	
Type of Change	N	%	N	%	N	%	N	%	N	%	N	%
Substantive Knowledge	12	100%	10	83%	2	17%	5	100%	5	100%	–	
Procedures	12	100%	9	75%	3	25%	4	80%	3	75%	1	25%
Personal Skills	12	100%	11	92%	1	8%	5	100%	4	80%	1	20%
Resources	12	100%	7	58%	5	42%	5	100%	2	40%	3	60%
Priorities	11	92%	4	36%	7	64%	5	100%	1	20%	4	80%

TABLE 24B
ATTRIBUTION OF CHANGE (COURT CLERKS)

Attribution	Substantive Knowledge		Procedures		Personal Skills		Resources		Priorities	
	Part.	Comp.	Part.	Comp.	Part.	Comp.	Part.	Comp.	Part.	Comp.
1. Experience	60%	80%	22%	33%	60%	25%	29%	50%	25%	–
2. System change	–	–	22%	33%	–	–	29%	–	25%	100%
3. New laws	10%	–	33%	–	–	–	–	–	–	–
4. Training	20%	–	11%	–	40%	25%	14%	50%	–	–
5. Advice	–	–	11%	–	–	–	–	–	25%	–
6. Education	–	–	–	33%	–	50%	–	–	–	–
7. Reading	10%	–	–	–	–	–	14%	–	–	–
8. Other	–	20%	–	–	–	–	–	–	25%	–

TABLE 25A
PRESENCE OF CHANGE (OTHERS)

	CTP Participants						Comparisons					
	Number Responding		Responding Yes		Responding No		Number Responding		Responding Yes		Responding No	
Type of Change	N	%	N	%	N	%	N	%	N	%	N	%
Substantive Knowledge	42	93%	34	81%	8	19%	7	100%	6	85%	1	14%
Procedures	42	93%	30	71%	12	29%	7	100%	4	57%	3	43%
Personal Skills	42	93%	33	79%	9	21%	7	100%	5	71%	2	29%
Resources	41	91%	25	61%	16	39%	6	86%	2	33%	4	67%
Priorities	41	91%	18	44%	23	56%	7	100%	4	57%	3	43%

TABLE 25B
ATTRIBUTION OF CHANGE (OTHERS)

Attribution	Substantive Knowledge		Procedures		Personal Skills		Resources		Priorities	
	Part.	Comp.	Part.	Comp.	Part.	Comp.	Part.	Comp.	Part.	Comp.
1. Experience	56%	100%	47%	–	70%	80%	48%	–	44%	25%
2. System change	3%	–	3%	75%	–	–	4%	100%	–	50%
3. New laws	6%	–	7%	–	–	–	–	–	11%	–
4. Training	15%	–	13%	–	21%	–	22%	–	11%	–
5. Education	–	–	7%	25%	3%	20%	–	–	–	–
6. Reading	3%	–	–	–	–	–	–	–	–	–
7. Personal reasons	6%	–	–	–	3%	–	–	–	–	–
8. Other	12%	–	23%	–	3%	–	26%	–	33%	25%

INSTITUTE RELATIONSHIP TO AREAS OF CHANGE

These data further delineate the specific types of changes claimed as a result of institute training. In instances where changes were attributed to a specific CTP institute by the participants surveyed (in response to open-ended questions), the specific changes made and the frequency of the changes were noted. These descriptions focus on training institutes rather than role groups. However, an assessment of each role group can be estimated because, for the most part, specific role groups correspond to specific institutes (See Table 1, Chapter I).

INSTITUTE OF JUDICIAL ADMINISTRATION

Two of the IJA participants surveyed (14.2 percent) indicated that changes in procedures were attributable to the training. The changes made were in terms of greater awareness of issues and a change in the capacity to solve role-related problems.

Similarly, two participants attributed changes made in personal skills to IJA. The Institute was credited with changing appellate opinion writing skills and with creating an emphasis on efficiency.

Two participants indicated that changes in the use of resources were made because of the Institute's training. Specifically cited were changes in the use of research resources and a change in the use of human resources through delegation of authority.

In summary, the IJA program has influenced personal changes by its participants in three areas: procedures they use, personal skills, and use of resources.

APPELLATE JUDGES' CONFERENCE (ABA)

One participant (4.5 percent of the ABA's participants included in the study) indicated that a change had taken place in the area of substantive knowledge. Specifically, the ABA program was cited as providing a better understanding of the criminal justice system in general.

One participant of the ABA program indicated that, because of the training, a change was made in procedures, specifically in the use of appellate pre-argument settlement conferences.

These are the only areas of change where the attribution was made to the AJC-ABA program.

NATIONAL JUDICIAL COLLEGE

Eleven percent of the NJC participants included in this study indicated they have had a change in substantive knowledge due to the institute training. Most changes cited were in specific areas of law.

Additionally, 11.3 percent of the NJC participants in the study cited the College as contributing to changes in procedures. The most frequently cited area was change in courtroom-related procedures, particularly techniques for handling jury trials, pretrial activities, and sentencing procedures. General administrative and management procedures, focusing on case calendaring and docketing, were also frequently cited.

Similarly, nearly 10 percent of these participants reported changes in personal skills because of training. The most frequently cited areas of personal skill change were general courtroom-related skills and communication skills with peers and public.

Some NJC participants surveyed also attributed changes in use of resources to training. This attribution was made by 5.2 percent of the respondents, mostly in the area of resources for research.

The area of least attribution of change to NJC training is priorities. Only 3.4 percent of the participants attributed changes in this area to training. These changes were in priorities related to courtroom activities, research priorities, communication with defendants, and emphasis on justice and humanitarianism.

In summary, NJC's greatest impact on its participants, in terms of helping them make changes in the way they work, was in the areas of substantive knowledge and procedures.

AMERICAN ACADEMY OF JUDICIAL EDUCATION

Three persons or 9.3 percent of the AAJE participants surveyed indicated that they experienced changes in substantive knowledge as a result of training by AAJE. This was primarily with respect to general understanding of the law.

Furthermore, 6.2 percent of the AAJE participants surveyed indicated that they have made changes in procedures because of institute training. Two specific areas were cited:

- *Knowledge of state and local court procedures; and*
- *Greater emphasis on procedures related to timeliness.*

More than 28 percent of the AAJE participants cited changes in personal skills because of the training. Most of these changes were in the area of opinion/legal writing skills. However, changes in self-confidence, changes in communication skills, and changes in work emphasis toward efficiency were also noted.

None of the AAJE participants surveyed cited institute training as contributing to changes in the use of resources.

Only one participant, 3.1 percent of those surveyed, attributed a change in priorities, specifically a priority related to plea bargaining, to the AAJE program.

INSTITUTE FOR COURT MANAGEMENT

Of the ICM participants surveyed, 11.4 percent indicated that changes they have made in the area of substantive knowledge were due to ICM training. For the most part, these changes were in understanding of particular areas of the law.

Similarly, 9.8 percent of the participants indicated that they have made changes in procedures because of ICM training. The area cited most frequently was, not surprisingly, changes in administration and management procedures. Usage of computers and new technologies are two of the specific areas cited.

The greatest impact of ICM training on personal changes is in the area of personal skills. Nearly 23 percent of the ICM participants indicated that the training contributed to changes in this area, particularly in terms of skills related to management and administration.

A number of attributions to training were also made by ICM participants with respect to changes in use of resources. Eleven percent of the ICM participants surveyed made this attribution. The changes cited fall principally into two areas: general use of resources, and changes in the use of human resources.

Few ICM participants attributed changes in priorities to the training. Of those who did (1.6.percent), priorities for caseload management were cited.

In summary, several ICM participants surveyed indicated that training contributed to their making personal changes in several areas, particularly related to skills and knowledge in administration and management.

NATIONAL COLLEGE OF DISTRICT ATTORNEYS

Of the 108 NCDA participants included in the study, 5.5 percent cited changes made in their substantive knowledge due to training provided by NCDA. Primarily, these changes were in substantive areas of the law (i.e., criminal law and narcotics), and in knowledge of courtroom-related activity.

Additionally, 4.6 percent of the NCDA participants surveyed indicated that they have made changes in procedures directly because of the College's training. Five areas of procedural change were cited:

- *Change in capacity to solve role-related problems;*
- *Knowledge of procedures related to organized crime;*
- *Understanding of administrative and management procedures;*
- *Greater understanding of communications, particularly as related to delegation of responsibility; and*
- *Emphasis on procedures for increased efficiency.*

With respect to changes in personal skills, 4.6 percent of the NCDA participants attributing the changes to the NCDA program cited a number of areas, most notably changes in courtroom-related skills. Also cited were changes in general personal skills, skill in witness preparation, and increased communication skills with peers.

A slightly higher percentage (5.5 percent) responded that specific changes in use of resources were attributable to NCDA. Most of these were in the area of use of human resources, as well as developing non-legal resources.

An equal percentage (5.5 percent) responded that their priorities have changed because of the training, particularly in administrative and management matters.

In sum, NCDA was reported to have contributed to changes in all five general categories. Nearly equivalent percentages of participants made the attribution to training in these areas, 4.6 percent to 5.5 percent.

NATIONAL COLLEGE OF CRIMINAL DEFENSE
(LAWYERS AND PUBLIC DEFENDERS)

Approximately 4 percent of the NCCD participants surveyed indicated that changes have been made in their substantive knowledge directly because of the NCCD program. Most of the changes cited (50 percent) were in knowledge related to courtroom activity.

Similarly, 6.7 percent of these participants attributed changes made in procedures to NCCD training, most notably in the area of capacity to understand role-related problems.

The most significant area where NCCDtraining was cited as contributing to personal changes is in the area of personal skills. Twenty-two percent of the NCCD participants surveyed made this attribution. This training was credited with influencing personal changes in courtroom-related skills, particularly examination of witnesses.

In terms of changes in use of resources, 7.6 percent of the NCCD participants surveyed credited the training with contributing to the change. The specific areas where training did make a difference are general use of resources, and resources related to evidence and witnesses. Less noted were resources for case preparation, resources for greater efficiency, and use of human resources.

Only 1 percent of the NCCD participants in the study attributed changes in priorities to the training. Specifically, priorities related to case preparation were cited.

In summary, NCCD training was cited by participants as contributing to personal changes. The most notable area of personal change because of training is personal skills, where 22 percent of the NCCD participants surveyed cited this attribution.

NATIONAL INSTITUTE FOR TRIAL ADVOCACY

Twenty percent of the NITA participants surveyed indicated that they have made changes in procedures because of the training. These changes fall into two main categories, courtroom-related procedures, and case preparation procedures.

Similarly, a high percentage of the participants surveyed (32 percent) cited changes in personal skills because of NITA training. Not surprisingly, most of the changes cited were in the area of courtroom-related skills and opening/closing arguments.

Only one NITA participant cited a change in the use of resources because of the training. However, the change cited was, again, related to courtroom activity (i.e., resources related to evidence).

Two of the participants surveyed (8 percent) indicated that NITA contributed to changes in priorities. The changes made were in general work emphasis, such as emphasis on particular types of cases.

In summary, NITA training has been credited with influencing changes in its participants in several areas, procedures, personal skills, resources, and priorities. More specifically, however, NITA seems to have the greatest influence on courtroom-related behavior.

Change/Attribution Summary

A number of respondents, both participant and comparison, in all role groups indicated that they have made changes in the way they do their work over the last five years. Most changes seem to have occurred in the areas of substantive knowledge, procedures, or personal skills for all role groups, participant and comparison. The area of least change for all role groups, participant and comparison, was priorities.

While the attributions for these changes vary among the various role groups and between the participant and comparison groups, two trends are clear. For most changes made by members of all role groups, participant and comparison, experience is a key factor leading to changes. Attributions for changes to training (all training) were made much more frequently by participants than comparison individuals. This trend is particularly significant when compared to the amount of training attended by these individuals in the various role groups. Furthermore, when the attributions to training were made by participants, CTP institutes were cited most frequently.

The types of changes made most often by participants of the institutes were in the areas of substantive knowledge and personal skills. Additionally, changes in procedures were frequently cited as being made because of training.

Those CTP institutes most frequently cited by those participants who did attribute changes to training were as follows, for each category or type of change:

Substantive knowledge	:	ICM NJC AAJE
Procedures	:	NITA IJA NJC ICM
Personal Skills	:	NITA AAJE ICM NCCD
Use of Resources	:	IJA ICM
Priorities	:	NITA NCDA

DIRECT RELATIONSHIPS BETWEEN TRAINING AND ATTEMPTED CHANGE

During the survey of CTP participants in the 12 case study sites, they were asked a series of questions about the institute(s) they had attended and the training they had received. Then, the participants were asked if they had, as a result of the CTP training, *attempted* to make personal or organizational changes, and if so, to specify those changes.

Tables 26 and *27* reflect the percentages of the total survey sample who (for each CTP institute) reported attempts to make personal and/or organizational changes because of what they had learned. (N/A indicates that there were no participants in the particular role group in the survey).

As indicated in Table 26, at least 50 percent of all role groups surveyed for each CTP institute said they *attempted* to make personal changes because of institute training. A much lower percentage of the participants of each institute reported that they have *actually made* personal changes because of training received, when they were asked about changes in general over the past five years.

Table 26 indicates that six of the institutes (NITA, NCCDLPD, IJA, NCDA, NJC and AAJE) have a fairly comparable and effective rate of success in encouraging their participants to make personal changes based on training received. Two institutes, AJC/ABA and ICM, seem to be far less effective in that regard, based on the survey results.

The percentage of participants who attempted to make organizational changes because of CTP institute training varies considerably from role group to role group and institute to institute, as reflected by Table 27. None of the institutes appears to have been overly successful in this regard, but ICM seems to reflect the most success.

Tables 28A through *35B* reflect the number of respondents in each role group, for each CTP institute, who cited specific attempts at personal and organizational changes as a result of training. These data supplement the training assessment data reflected in Tables 26 and 27.

TABLE 26
ATTRIBUTION OF ATTEMPTED PERSONAL CHANGE TO TRAINING

Role Group	NCDA		NCCD		ICM		NJC		AAJE		IJA		AJC/ABA		NITA	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Appellate Judges	N/A		N/A		N/A		3	60%	7	88%	11	79%	12	55%	N/A	
Trial Judges	–	–	N/A		1	100%	74%	73%	16	70%	N/A		N/A		N/A	
Private Attorneys	3	50%	23	79%	N/A		1	100%	N/A		N/A		N/A		9	82%
Prosecutors	68	80%	1	50%	N/A		N/A		N/A		N/A		N/A		8	89%
Public Defenders	1	50%	57	83%	N/A		N/A		N/A		N/A		N/A		2	100%
Court Administrators	N/A		N/A		14	52%	3	60%	N/A		N/A		N/A		N/A	
Court Clerks	N/A		N/A		6	50%	N/A		N/A		N/A		N/A		N/A	
Others	9	64%	4	100%	9	43%	2	100%	–	–	N/A		N/A		3	100%
Total	81	75%	85	82%	30	49%	83	72%	23	72%	11	79%	12	55%	22	88%

TABLE 27
ATTRIBUTION OF ATTEMPTED ORGANIZATIONAL CHANGE TO TRAINING

Role Group	NCDA		NCCD		ICM		NJC		AAJE		IJA		AJC/ABA		NITA	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Appellate Judges	N/A		N/A		N/A		1	20%	2	25%	7	50%	10	45%	N/A	
Trial Judges	–	–	N/A		1	100%	47	46%	7	30%	N/A		N/A		N/A	
Private Attorneys	1	17%	11	38%	N/A		1	100%	N/A		N/A		N/A		2	18%
Prosecutors	33	39%	2	100%	N/A		N/A		N/A		N/A		N/A		3	33%
Public Defenders	1	50%	20	29%	N/A		N/A		N/A		N/A		N/A		2	100%
Court Administrators	N/A		N/A		17	63%	2	40%	N/A		N/A		N/A		N/A	
Court Clerks	N/A		N/A		8	67%	N/A		N/A		N/A		N/A		N/A	
Others	7	50%	1	25%	8	38%	1	50%	–	–	N/A		N/A		2	67%
Total	42	39%	34	33%	34	56%	52	45%	9	28%	7	50%	10	45%	9	36%

TABLE 28A

AREAS OF ATTEMPTED PERSONAL CHANGE – IJA

	Appellate Judges	
	Areas	N
1.	General philosophical change in way view profession	1
2.	General administrative/ management change	2
3.	Appellate procedures	1
4.	Writing ability	4
5.	Delegation of responsibility	1
6.	Emphasis on efficiency	1
7.	Noncategorizable	1

TABLE 28B

AREAS OF ATTEMPTED ORGANIZATIONAL CHANGE – IJA

	Appellate Judges	
	Areas	N
1.	General procedural change	1
2.	General administrative/ management change	2
	a. computer usage	1
	b. office filing systems	1
3.	General courtroom-related change	1
4.	Relationship with peers/ colleagues	1

TABLE 29A

AREAS OF ATTEMPTED PERSONAL CHANGE – AJC/ABA

	Appellate Judges	
	Areas	N
1.	General philosophical change in way view profession	1
2.	General administrative/ management change	2
3.	Appellate procedures	1
4.	Writing ability	4
5.	Delegation of responsibility	1
6.	Emphasis on efficiency	1
7.	Noncategorizable	2

TABLE 29B

AREAS OF ATTEMPTED ORGANIZATIONAL CHANGE – AJC/ABA

	Appellate Judges	
	Areas	N
1.	General administrative/ management change	1
	a. computer usage	1
	b. docketing	1
2.	Presettlement/pretrial conferences	4
3.	General organizational changes	1
4.	Noncategorizable	2

TABLE 30A

AREAS OF ATTEMPTED PERSONAL CHANGE – NJC

Appellate Judges

	Areas	N
1.	General personal	2
2.	Noncategorizable	1

Private Attorneys

	Areas	N
1.	Noncategorizable	1

Court Administrators

	Areas	N
1.	Caseload management	1
2.	Emphasis of efficiency	1
3.	Noncategorizable	1

Others

	Areas	N
1.	Appellate procedures	2

Trial Judges

	Areas	N
1.	Self-confidence	1
2.	Awareness of alternate approaches to problems	1
3.	Capacity to solve role-related problems	1
4.	General philosophical change in way view profession	3
5.	General knowledge change	1
a.	constitutional law	1
b.	probate law	1
c.	search and seizure	1
6.	General administrative/management change	4
a.	docketing	1
b.	case calendaring	2
7.	General courtroom-related change	7
a.	use of evidence	5
b.	jury instructions	5
c.	jury trial behavior	2
d.	filing/use of motions	3
e.	plea bargaining	1
f.	presettlement/pretrial conferences	1
g.	sentencing	6
8.	General personal change	9
9.	Approach to research	1
10.	General change in communication/interpersonal relationships	1
a.	with public/people in general	1
b.	with defendants	2
11.	Emphasis on efficiency	1
12.	Emphasis on training	1
13.	Prioritization of cases	1
14.	Noncategorizable	10

TABLE 30B

AREAS OF ATTEMPTED ORGANIZATIONAL CHANGE – NJC

Appellate Judges

	Areas	N
1.	Jury selection	1

Private Attorneys

	Areas	N
1.	General organizational change	1

Court Administrators

	Areas	N
1.	General administrative/ management change	1
2.	General courtroom-related change	1

Others

	Areas	N
1.	Docketing	1

Trial Judges

		Areas	N
1.		General procedural change	1
2.		Domestic relations cases	2
3.		General administrative/ management changes	5
	a.	docketing	6
	b.	legal research indexing	1
	c.	case calendaring	1
4.		General courtroom-related change	3
	a.	jury instructions	2
	b.	jury selection	1
	c.	jury trial behavior	1
	d.	filing of motions	2
	e.	presettlement/ pretrial conferences	1
	f.	sentencing	1
5.		General organizational change	5
6.		Relationship with peers/ colleagues	1
7.		Emphasis on justice	1
8.		Emphasis on efficiency	1
9.		Emphasis on training	2
10.		Emphasis on post-trial phase	1
11.		Noncategorizable	9

TABLE 31A

AREAS OF ATTEMPTED PERSONAL CHANGE – AAJE

	Appellate Judges	
	Areas	N
1.	General courtroom-related change	1
	a. appellate procedures	1
2.	General personal change	1
3.	Writing ability	3
4.	Noncategorizable	1

	Trial Judges	
	Areas	N
1.	General philosophical change in way view profession	1
2.	Knowledge-criminal law	1
3.	Knowledge-procedural law	1
4.	Courtroom-related change	
	a. pretrial/pre-settlement conferences	1
	b. sentencing	1
5.	General personal change	4
6.	Writing ability	1
7.	Communication/interpersonal relationships	
	a. with public/people in general	1
	b. sensitivity to others	1
8.	Noncategorizable	4

TABLE 31B

AREAS OF ATTEMPTED ORGANIZATIONAL CHANGE – AAJE

Appellate Judges

	Areas	N
1.	General organizational change	1
2.	Emphasis on post-trial	1

Trial Judges

	Areas	N
1.	Self-confidence	1
2.	Courtroom-related change	
	a. use of evidence	1
	b. presettlement/pretrial conferences	1
3.	General organizational change	2
4.	Emphasis on training	1
5.	Noncategorizable	1

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TABLE 32A

AREAS OF ATTEMPTED PERSONAL CHANGE – ICM

Trial Judges

	Areas	N
1.	General administrative/ management change	1

Court Clerks

	Areas	N
1.	General administrative/ management change	2
a.	docketing	1
2.	General personal change	1
3.	Emphasis on training	1
4.	Noncategorizable	1

Others

	Areas	N
1.	General administrative/ management change	2
2.	General personal change	2
3.	Approach to research	1
4.	General change in communication/interpersonal relationships	1
a.	delegation of responsibility	1
5.	Emphasis on saving time	2

Court Administrators

	Areas	N
1.	Awareness of issues	1
2.	Capacity to understand role-related problems	1
3.	General philosophical change in way view profession	1
4.	General knowledge change	1
5.	General administrative/ management change	1
a.	caseload management	2
b.	office filing systems	1
c.	technological changes	1
6.	Courtroom-related pretrial conferences	1
7.	General change in communication/interpersonal relationships	1
a.	with judges	1
8.	Emphasis on financial aspects	1
9.	Noncategorizable	1

TABLE 32B

AREAS OF ATTEMPTED ORGANIZATIONAL CHANGE – ICM

Trial Judges

Areas	N
1. General administrative/ management change	1

Court Clerks

Areas	N
1. General philosophical change in way view profession	1
2. General administrative/ management change	1
a. computer usage	2
b. office filing system	1
3. Courtroom-related changes	
a. jury selection	1
b. filing motions	1

Others

Areas	N
1. General administrative/ management changes	2
a. caseload management	2
b. office filing system	1
2. Courtroom-related changes	
a. presettlement/ pretrial procedures	1
3. General organizational change	2

Court Administrators

Areas	N
1. Use of resources	1
2. General knowledge change	1
3. General administrative/ management change	4
a. docketing	1
b. office filing systems	1
c. technological changes	1
d. case calendaring	1
4. General organizational change	1
5. Investigation	1
6. Relationship with judges	1
7. Emphasis on financial aspects	1
8. Noncategorizable	3

TABLE 33A

AREAS OF ATTEMPTED PERSONAL CHANGE – NCDA

Private Attorneys

	Area	N
1.	General courtroom-related change	1
2.	Case preparation-investigation	1
3.	Noncategorizable	1

Public Defenders

	Area	N
1.	General personal change	1

Others

	Area	N
1.	General knowledge change	1
	a. fraud	1
2.	General personal change	1
3.	Case preparation-investigation	3
4.	Writing ability	1
5.	Communication with public/people in general	1
6.	Noncategorizable	1

Prosecutors

	Areas	N
1.	Capacity to solve role-related problems	1
2.	General knowledge change	1
	a. constitutional law	1
	b. domestic relations	2
	c. organized crime	1
	d. search and seizure	1
3.	General administrative/management change	2
	a. office filing system	2
4.	General courtroom-related change	11
	a. cross-examination/direct examination	2
	b. use of evidence	2
	c. jury selection	2
	d. jury trial behavior	4
	e. presettlement/pretrial conferences	2
	f. use of technology	1
	g. handling of witnesses	4
5.	General personal change	5
6.	General case preparation change	6
	a. case organization	3
	b. collecting evidence	1
	c. investigation	3
7.	General change in communication/interpersonal relationships	3
	a. with peers/colleagues	1
	b. with other law/court agencies	1
8.	Noncategorizable	6

TABLE 33B

AREAS OF ATTEMPTED ORGANIZATIONAL CHANGE – NCDA

Private attorneys

	Areas	N
1.	Relationship with other law/legal agencies	1

Public Defenders

	Areas	N
1.	Emphasis on training	1

Other

	Areas	N
1.	Organized crime cases	1
2.	Office filing systems	1
3.	General organization change	1
4.	Investigation	1
5.	General change in communication/interpersonal relationships	1
6.	Emphasis on training	1
7.	Noncategorizable	1

Prosecutors

	Areas	N
1.	Civil law cases	1
2.	Domestic relations cases	2
3.	Organized crime cases	1
4.	General administrative/management changes	4
5.	Investigation	1
6.	Relationship with other law/legal agencies	2
7.	Emphasis on training	6
8.	Noncategorizable	2

TABLE 34A

AREAS OF ATTEMPTED PERSONAL CHANGE — NCCD

Private attorneys

	Areas	N
1.	Capacity to understand role-related problems	1
2.	Change related to particular types of cases	
	a. criminal	1
	b. narcotics	1
3.	General courtroom-related change	3
	a. cross-examination/direct examination	4
	b. jury instructions	1
	c. jury selection	1
	d. presettlement/pre-trial conferences	1
	e. handling of witnesses	1
4.	General personal change	2
5.	General case preparation change	1
	a. collecting evidence	1
	b. forensics	1
6.	General change in communication/interpersonal relationships	1
7.	Emphasis on training	1
8.	Noncategorizable	2

Prosecutors

	Areas	N
1.	Emphasis on efficiency	1

Public Defenders

	Areas	N
1.	Awareness of issues	1
2.	Self-confidence	1
3.	Capacity to understand role-related problems	1
4.	Philosophical change in way view profession	2
5.	Personal skills	1
6.	Types of cases - criminal law	1
7.	General courtroom-related change	10
	a. cross-examination/direct examination	9
	b. use of evidence	2
	c. jury selection	4
	d. jury trial behavior	1
	e. opening/closing	5
	f. handling of witnesses	1
8.	General personal change	4
9.	General case preparation change	3
	a. approach to research	3
	b. case preparation notebook	1
	c. witness preparation	1
	d. writing ability	1
10.	General change in communications/interpersonal relationships	1
11.	Noncategorizable response	4

Others

	Areas	N
1.	Self-confidence	1
2.	General courtroom-related change	1
	a. use of evidence	1
	b. jury selection	1

TABLE 34B

AREAS OF ATTEMPTED ORGANIZATIONAL CHANGE — NCCD

Private attorneys

	Areas	N
1.	General administrative/management change	1
2.	Courtroom-related change	
	a. jury selection	1
	b. filing/use of motions	1
3.	General organizational change	2
4.	General case preparation change	1
5.	Relationship with peers/colleagues	1
6.	Emphasis on efficiency	1
7.	Emphasis on training	1
8.	Noncategorizable	2

Public Defenders

	Areas	N
1.	Awareness of issues	1
2.	Office filing systems	1
3.	General courtroom-related change	1
	a. jury selection	1
	b. opening/closing arguments	1
	c. handling witnesses	1
4.	General organizational change	3
5.	Investigation	1
6.	Communication/interpersonal relationships	
	a. with peers/colleagues	2
	b. delegation of responsibility	1
7.	Emphasis on training	5

Prosecutors

	Areas	N
1.	Relationship with peers/colleagues	1
2.	Emphasis on financial aspects	1

Others

	Areas	N
1.	General change in communication/interpersonal relationships	1

TABLE 35A

AREAS OF ATTEMPTED PERSONAL CHANGE – NITA

Private Attorneys

	Areas	N
1.	General courtroom-related change	1
	a. cross-examination/ direct examination	2
2.	General case preparation change	3
	a. case preparation notebook	1
3.	Relationship with peers	1
4.	Emphasis on training	1

Prosecutors

	Areas	N
1.	General change in personal skills	1
2.	General courtroom-related change	2
	a. cross-examination/ direct examination	3
3.	Emphasis on post-trial phase	1
4.	Noncategorizable	1

Public Defenders

	Areas	N
1.	Case preparation notebook	1
2.	Noncategorizable	1

Others

	Areas	N
1.	General courtroom-related change	2
2.	General case preparation change	1

TABLE 35B

AREAS OF ATTEMPTED ORGANIZATIONAL CHANGE – NITA

Private Attorneys

	Areas	N
1.	Emphasis on training	1
2.	Emphasis on post-trial phase	1

Public Defenders

	Areas	N
1.	Emphasis on training	1
2.	Emphasis on post-trial phase	1

Prosecutors

	Areas	N
1.	General case preparation change	1
2.	Emphasis on training	2

Others

	Areas	N
1.	General organizational change	1
2.	General case preparation change	1

CHAPTER III

CONCLUSIONS AND RECOMMENDATIONS

III. CONCLUSIONS AND RECOMMENDATIONS

This chapter sets forth the conclusions reached by the study team after analyzing the data collected during the course of this project and recommendations which have been formulated to correct deficiencies and/or strengthen the Courts Training Program.

These matters will be discussed in five separate sections dealing with training impact, the training process, cost effectiveness, LEAA national training policy, and future evaluations.

A. TRAINING IMPACT

Based on the findings of this evaluation, training is *not* the major impetus for either organizational change within the criminal justice system or personal change among those practitioners within the court system. Experience on the job and system changes caused by various circumstances emerge as the major causal factors of change.

Nevertheless, the data indicate that training was cited by nearly 20 percent of the respondents in all role groups in the 12 court systems examined as a generator of personal and/or organizational change. Therefore, training's contribution to the total climate which produces positive change cannot be dismissed.

It is the view of the evaluators that measuring the impact of training per se is extremely difficult in light of the various constraints mentioned previously and because there is a natural intertwining and cumulative impacting of such related factors as experience on the job, educational background, training, advice of colleagues, reading, etc. Despite this, there are sufficient data available to conclude that training is a positive and important influence on the criminal justice system and on its practicing members

In examining the impact of training received at CTP institutes as compared with training received elsewhere, only in two role groups — appellate judges and court administrators — are higher degrees of change traced to CTP training. Among trial judges, prosecutors, defenders and private attorneys there was little difference in the degree of change among the CTP participants and the comparisons, all of whom had like amounts of training from either CTP, state and/or private sources (see *Tables 4* and *4A*). On the other hand, comparison group respondents among appellate judges and court administrators experienced substantially less training than did the CTP participants who tied personal/professional changes to their CTP training.

Among the eight CTP institutes, those which appear to be most effective in persuading trainees to attempt personal changes in their professional performance are NITA, NCCDLPD, IJA, NCDA, NJC, and AAJE. Least effective in this respect are ICM and AJC (ABA), according to the data collected. As for encouraging organizational change, none of the eight institutes appears to have enjoyed much success, but ICM has been more effective than the others.

Each of the training institutes will be discussed in the following section.

B. THE TRAINING PROCESS

In examining the data gathered from those who have attended CTP institutes, several important overall conclusions emerged:

- *Participants want training. They believe in the principle of continuing education, and they feel that the legal system is ever-changing, thereby requiring them to increase their knowledge, improve their skills, etc. They attend training voluntarily and enthusiastically.*
- *Most sender organizations (e.g., courts, district attorney's offices, public defender's offices, etc.) strongly encourage the principle of continuing education and support attendance at training programs in a variety of ways (e.g., financial support, transfer of assignments, rearrangement of schedules, etc.).*
- *The main strengths of the CTP institutes appear to be in meeting the general needs of the respective role groups and in providing a setting in which individuals can exchange ideas and discuss problems informally (often outside the classroom setting) with their peers from other states.*
- *Training, generally, may suffer from shortcomings in needs assessment, balance of teaching methodologies (too much lecture), instructor orientation, and in attempts to meet individual needs.*
- *There is an implied support for training programs which are about a week in length. The two, three and four week courses are often characterized as being too long (because of workloads, vacation conflicts and family commitments, concentration limits), and the two and three day workshops are often seen as being too brief.*
- *CTP institutes need to pay more attention to the manner in which they mix trainees, especially as to role groups and levels of experience.*

Conclusions and recommendations pertaining to each of the eight CTP institutes follow.

INSTITUTE OF JUDICIAL ADMINISTRATION

The Appellate Judges Seminars of the IJA emerge from the analysis of data as perhaps the best of the training programs in all respects except cost per participant.

Tried and tested over a period of 22 years, the seminar program maintains a fixed format and program content that appear to have won favor with the more than 800 judges who have participated. The Appellate Judges Seminars are widely recognized and respected, as are the faculty who conduct them. Unlike other training programs which at times seem to be more concerned about attracting bodies than reaching target audiences, the Appellate Judges Seminars have held the line on attendance limits in order to preserve the atmosphere and format which have been so well received.

Goals and Objectives Of The Institution

The goals of the Appellate Judges Seminar Program have been consistent and adhered to for more than 20 years.

Needs Identification

The methodology pursued by IJA to identify the needs of appellate judges and develop the curriculum for the seminars appears to have alleviated the problem identified in a previous evaluation, that curriculum content was lodged essentially with one individual. The only potential weakness in the present process is the risk of having faculty continually recommend that their courses be repeated, without change, not necessarily because of "student"needs but because of the faculty member's familiarity with the course.

Program Assessment

The methods currently employed to ascertain the value and impact of the seminars are of assistance in reflecting the need for changes in faculty and/or curriculum. While only the previous outside evaluation of 1975 produced data on how the seminars have altered the professional conduct of the appellate judges, the fact that "graduates" continually recommend the seminars to their colleagues indicates their perception of the program. Data collected in this evaluation have confirmed IJA's general effectiveness in influencing personal and organizational change.

Other Institution Activities

We find no evidence of undue competition between the Appellate Judges Seminars of IJA and those of the ABA in Chicago. Generally, they are designed for somewhat different audiences (new appellate judges versus experienced appellate judges), and they are presented in different time frames to meet varying needs (e.g., two week residential program as compared with four-day sessions).

Program and Related Costs

The Institute of Judicial Administration is currently contributing between $26,000 and $31,000 a year to the Appellate Judges Seminar Program for the travel and housing expenses of the participating judges. Many judges are able to obtain travel and subsistence funds from their jurisdictions or court training programs, but the differences are made up by the IJA in the belief that without such assistance, appellate judges will not attend the residential training programs. We believe that is a questionable policy. Given the importance of the seminars to the career development of appellate judges and the fact that many states now provide reasonable salaries for appellate judges, we believe that in only the few cases of demonstrated financial need should the IJA provide travel and subsistence funds to supplement whatever is provided by state sources. If the IJA were gradually relieved of this cost burden, it could assume even greater financial responsibility for the Appellate Judges Seminars.

Recommendation 1: The Institute of Judicial Administration should amend its policy regarding the provision of travel and housing financial assistance and provide such aid only in cases of demonstrated financial need.

If that recommendation were adopted, IJA would be able to reallocate most of the funds now earmarked for travel and housing costs of participants. Such a reallocation would enable LEAA to further reduce its financial participation in the Appellate Judges Seminar Program and eventually withdraw completely so that IJA could stand with complete independence as the sponsor of the program. IJA's current time deposits should prove adequate to support the funding transition, if necessary.

Recommendation 2: In conjunction with IJA's adoption of the first recommendation, LEAA should further reduce its funding support in FY 1980 and should aim for complete withdrawal of financial support by FY 1982.

APPELLATE JUDGES' CONFERENCE (ABA)

Data gathered during the course of this evaluation project raise serious questions about the value of the Appellate Judges' Conference as it currently exists. The major points of concern are:

- *Twenty three percent of the participants have no desire to return to future conferences;*
- *A relatively low percent of the participants have been persuaded to make changes in their performance of responsibilities as a result of training;*
- *Many respondents gave poor ratings to the AJC programs;*
- *Instructors tend to rate aspects of training design higher than do participants, especially as to considering the needs of the individual, clarity of learning objectives, the degree to which training objectives are demonstrable, the opportunities to practice what is taught, and the degree of useful feedback participants get from instructors and peers; and*
- *Instructors say that programs are not modified on the basis of feedback and systematic assessment.*

Goals and Objectives

The project staff expresses a strong sense of direction: to become a center of continuing appellate education and to meet the ongoing needs of the appellate courts, thereby helping to solve the problems of the courts. Although this mission was clearly articulated in interviews with the staff, it is not reflected in the written goals of the project, which are stated as exposing members of the appellate courts to ideas, laws, administrative techniques, and the like. In other words, the exposure is the means and the end. This apparent gulf between the written and spoken objectives of the project raised two questions for the study team: do the participants have an understanding of the expectations of the training; and do their objectives coincide with or complement those of the project. Presumably, some common expectations would enhance the impact of training. Inquiry of the participants indicated that this is, indeed, a deficiency.

Needs Identification

Instilling a sense of identity or "ownership" of the project in the participants is an abiding concern of the staff. The many processes, however informal, used to determine the audience's needs and concerns are vehicles for giving them a voice in the project's development. The seminar evaluation sheets are another such vehicle.

Because of the informality of the current processes, the study team did not see a clear link between the participant's input and refinements in the project's operations, as later borne out by the survey respondents.

Recommendation 3: A more formal, systematic approach to assessing the needs of the audience and its satisfaction with the program would be beneficial to the program development process and should be attempted.

The criteria used to identify and select faculty seem to assure a consistently high level of knowledge. If there is any weakness in the faculty, it may be the scant representation by members of other than legal disciplines, a point emphasized by respondents during the field surveys. Considering the emphasis on administrative procedures and technological advancements, in addition to substantive law, presumably participants could benefit from exposure to members of business, management, and social science disciplines.

A related point is the level of minority representation on the faculty. Included on the list of typical faculty, provided by the project, was one woman and one member of a minority group.

Program Assessment

The staff's expression of a need for outside evaluation (as presented in Chapter II) appears to stem from its concern to develop a meaningful program for the participants and to achieve practical results. To this end, feedback from participants should assist curriculum and program development.

The current system for project self-assessment focuses only on the appellate judges' seminars. The evaluation forms are best described as "happy sheets," designed to assess satisfaction with the format, selection of topics, and physical environment rather than to appraise results and learning. The project bases appraisal of its benefits on isolated reports of participants. This, of course, is a critical source of assessment. However, lacking empirical evidence, assessments of widespread benefits or impact are basically speculative. Data resulting from this study indicates a low level of impact.

Other Institutional Activities

The project staff is engaged in several outside activities which appear to be very beneficial. Most notable is the staff's assistance to and participation in state-administered appellate education programs. This seems to be a positive means of increasing outreach. A potential weakness in this activity, however, is that it is not actively marketed or advertised. This may stem from the limited time that the staff has to devote to such efforts.

Related to the in-state activity is the input provided to other national judicial education programs. This coordination helps to enhance the consistency of training provided to all types of court personnel.

Program and Related Costs

The staff expressed a desire to explore alternative funding sources so that dependence on LEAA may be reduced. The study team feels that the project's decision to begin charging tuition is a positive step toward this end.

Management

The program director expressed a concern that the project is understaffed. It is the impression of the study team that the seminar coordination activities per se appear to be well managed. Considering the format of the seminars, many of these activities are handled routinely, with little variation from year to year.

The fact that many policies, fiscal procedures, and personnel practices are managed through the ABA's apparatus certainly contributes to their strength. However, as a result of conversations with the staff, it appears to the study team that there is not a clear delineation of responsibility and authority among the staff for maximizing efficiency. In this regard, the program director expressed the concern that an inordinate amount of his time is used for attending to routine, day-to-day managerial details. According to the staff, this results in the program director having little time for other conference activities and may affect the project's ability to meet its contractual obligations.

Recommendation 4: LEAA should increase its monitoring and ongoing evaluation of the Appellate Judges' Conference so that it can determine within the next year whether the program can be strengthened or whether funding should be terminated.

NATIONAL JUDICIAL COLLEGE

The data generated as a result of this evaluation indicate that the National Judicial College ranks high as an effective training institute, has a well designed training program, and is effective in providing a mechanism for exchanges of views among peers.

NJC has pioneered a number of ideas which have now been replicated by state judicial programs. The format of training, novel approaches to sentencing, orientation for new judges, emphasis on court administration, and other such features are now included in state judicial training curriculums.

NJC gives its participants an intangible feeling of identity as a judge. Most participants regard it as a hallmark experience.

Goals and Objectives Of The College

The College, as evidenced by interviews with its staff and review of its various brochures, exhibits a strong sense of mission. Its goal of improving the judiciary is based on a definite viewpoint of what the courts need, a viewpoint which is bolstered through continuing contacts with myriad alumni, faculty, and supporters across the nation.

This is manifested in an operational philosophy that emphasizes behavioral reinforcements. For example, the efficient management of time and the service orientation exercised by the staff during training are expected to be mirrored by participants in their courts. In effect, the College is strong on imaging, or modelling, the behavior it wishes to foster in the judiciary.

Needs Identification

Judging from the processes depicted by the core staff, the College makes thorough attempts to provide relevant programs to its constituents. Topic areas seem to be related to real needs, which are assessed through (1) the Board of Directors, (2) advisory committees, (3) soundings in the field by the Dean and other staff members, (4) discussion during social events, (5) feedback from participants, (6) the use of videotapes and peer reactions to mock trials, and (7) field trips to prisons to explore the effects of sentencing, and the like.

In general, these approaches seem to be augmented by the College's utilizing the "best sources" for programmatic inputs and refinements, which are obtained, coordinated, and implemented by an exceptionally strong staff based on its qualifications, experience, and enthusiasm. Such contributions from both outside resources and the competent staff seem to be the result of aggressive and effective outreach and recruitment.

Relatedly, College officials described an effective affirmative action program for part-time faculty and discussion leaders. Nevertheless, as mentioned in Chapter II, minority representation on the *core staff* (as opposed to faculty) of 36 is zero. This raises a question concerning the College's ability to function as a truly ***national*** college (they recruit some positions nationwide) and to serve adequately those whom the courts serve.

Recommendation 5: ***NJC should take appropriate and immediate action to ensure adequate minority representation on its core staff.***

Program Assessment

The College constantly updates numerical summaries of its activities and attendance. For the outsider, these charts provide a useful picture of changing trends, emphases, and clientele over the years. Aside from providing a useful vehicle for public relations and marketing, such statistics also allow the staff to assess the degree to which the College is fulfilling aspects of its mission (such as the percentage of the potential total audience being reached by its programs).

The College appears to make conscientious attempts to evaluate and monitor programs. The statistical and qualitative results of these evaluations are used by the faculty and the professional staff for program and curriculum development purposes and by the College in general for marketing its services.

In the view of the study team, however, these evaluations are somewhat unidimensional. They are, in effect, "happy sheets" (albeit good ones) that gauge trainee satisfaction rather than systematically assess the degree to which intended learning objectives are achieved. (During the site visit, for example, it was mentioned to the study team that a particular faculty member from a recent program would not be invited back because the participants did not like him. This, of course, may be a valid decision when made in consideration of multiple criteria of effectiveness. However, the equating of like and learning is questionable.)

It is not evident to the study team that either measurable performance objectives are set for the training sessions or that any systematic evaluation has been done by trainers studying actual changes in participant competencies. Further, while the College uses some learning theory explicitly (e.g., modelling), in the main it appears that it depends on an educational model of course completion rather than a competency model based on performance outcomes.

Other College Activities

It was apparent to the study team, through its interviews and review of written descriptions, that the College is especially aware of public relations — with outsiders in general as well as with the host University of Nevada/Reno. This awareness seems to have at least the following positive effects: first, curriculum materials and publications are attentively developed and well marketed; second, people interested in doing legal research are encouraged to call at the College; third, professional disciplines other than law are appreciated, as demonstrated by the incidence with which social scientists and others are invited to teach at the College; and fourth, widespread informational contact is maintained with a significant portion of the College's target audience.

Program and Related Costs

Due principally to sound fiscal management and increased foundation support, the College has been able to maintain a stable tuition since 1975.

Management and Administration

As described by the various staff members in individual interviews, the training support services — fiscal, personnel, managerial — are strong. Policy manuals provide a good delineation of authority, and procedural checklists for quality control are kept current. Jobs are similarly delineated, and questions that arise are solved quickly.

The study team had direct experience with the College's Management Information Systems, which are comprehensive, detailed, and efficient and which allow easy access to well-reduced and displayed data.

The logistics or choreography of the training sessions are impressive. Tightly managed operations are positive in that they increase efficiency and the College's competent image. The trade-off is that they reduce the ambiguous aspects of the training setting, aspects that can be beneficial to learning.

AMERICAN ACADEMY OF JUDICIAL EDUCATION

Data collected in the process of this impact evaluation indicate that AAJE is a reasonably effective training institute which is well-regarded by those who have attended its programs.

Specifically, AAJE participants give high ratings to training design and capability of faculty. Exceptional and widespread praise is given to its legal writing courses. Both lay and law-trained judges praise AAJE workshops for attempting to integrate judicial techniques with matters of ethics, moral philosophy, history and traditions of law, and humanities in general.

Among the negatives, instructors cite inadequate orientation and training of faculty, inadequate administrative procedures, high turnover among AAJE staff, and the absence of a full-time technical director or leader at all training programs.

The Academy programs reflect a desire to serve diverse needs of judges. The programs are designed for ease of replication, and enrollments in the national conferences are consistently high. Our major recommendations to the Academy relate primarily to its major goals and programs and to questions of management within the Academy office.

Some of our recommendations are offered with the realization that budget and personnel constraints would limit a *complete* implementation of suggestions; but they do point to major areas that we believe warrant some change.

Goals and Objectives Of Institution

Recommendation 6: The Academy should reassess its goals and establish priorities for planning.

The multiple goals of the Academy that involve serving a wide target population do not offer a particular focus for either short- or long-range planning. While its diversity of goals is commendable, the numerous programs and activities tend to dilute the resources, both personnel and financial.

Recommendation 7: The Academy should consider limiting its target audience to judges of limited jurisdiction, including those who are non law-trained.

Along the lines of the first recommendation, the Academy should consider returning to its initial goal of developing programs for judges of limited jurisdiction. In the past few years, programs have been directed toward the judges of general jurisdiction, as well as toward appellate judges. The restriction of the audience will result in fewer programs, but the staff and budget resources may be reallocated more effectively. One exception to this recommendation is the legal writing courses for *all* judges. Given the wide recognition and appreciation of these courses, they should be continued, if not expanded.

Needs Identification

The Academy programs at the present time are selected on the basis of past experiences of the Academy and judicial education trends, rather than on a systematic needs assessment. Program planning should become a routine activity with regular, periodic input from the Curriculum Committee. Because of financial limitations, programs need to be examined in depth to determine future directions.

Recommendation 8: A formal needs assessment should be undertaken once the goals of the institution have been reexamined.

The needs assessment should transcend general observations about judicial education trends and regularly explore the needs of the target audience. The data gathered from a needs assessment should be analyzed and used to develop conference topics, instructional objectives and materials, and teaching methodologies. The needs analysis would help in projecting future educational directions and in program planning.

Recommendation 9: Efforts should be made to implement a faculty development program.

Currently, there is no provision for orienting faculty to the instructional objectives or teaching methodologies of the Academy. A program should be implemented that would allow faculty and the Academy staff to discuss the training materials together. It would also provide some type of consistency of teaching among faculty. All new faculty members should receive an orientation package, designed exclusively for faculty, which describes the course objectives, teaching methodologies, and available training materials. In addition, the faculty should be required to submit, well in advance, course outlines regarding both content and format of their specific classes. Although lack of finances has prevented implementation of faculty development in the past, some activity could be initiated without a large financial investment. Student interns could be used to prepare an orientation package. Preconference meetings between staff and faculty would help orient new instructors to the Academy goals and programs. A staff representative should be present at all training programs to monitor instructors and to manage the event.

Other Institutional Activities

Recommendation 10: The Judicial Education News, the bimonthly newsletter that was terminated for financial reasons three years ago, should be resurrected.

The newsletter was beneficial in publicizing, on a continuing basis, the Academy programs and activities and offered articles relating to current trends in judicial education. While it may be too much of a financial burden to publish the *News* biweekly, the Academy may consider a monthly, or even a quarterly, newsletter staffed primarily by prelaw, law, or journalism student interns. This type of periodical would supplement the brochures in providing information to potential participants, alumni, and judicial educators, and would provide an ongoing communication between the Academy and these groups.

Recommendation 11: The Academy catalogue, which contains policy and program information, should be rewritten for distribution.

The catalogue, written three years ago, needs to be updated with current information regarding the Board of Directors, faculty, staff, programs, and activities.

Recommendation 12: The National Videotape Library should be a priority concern of the Academy.

The Library is a major method of program replication with relatively low development costs. Since the videotape method of instruction is one of the innovations of the Academy, the staff should focus its energies on this activity. LEAA should also make this matter one of its priority concerns.

Management

Recommendation 13: The Academy should analyze the reasons for its relatively high staff turnover and take steps to correct the situation.

Among the issues which should be examined are levels of responsibilities, salary scales, overall personnel policies, etc.

Recommendation 14: The procedures manual should be revised, completed, and approved by the Executive Director as soon as possible to assure fairness and consistency in personnel matters.

The manual should contain job descriptions for all staff and procedures for evaluation, grievances, and discipline areas which are not presently covered by the manual.

INSTITUTE FOR COURT MANAGEMENT

Data gathered in the process of this evaluation indicate that ICM is filling a training void for court administrative personnel and that among those court administrators and other support staff who do attribute changes in their performance to training they have received, ICM is mentioned frequently.

While the relevance of ICM training generally received high ratings from both participants and instructors, more individuals were critical of ICM training than of any of the other institutes. According to the data, ICM is not effective, overall, in persuading participants to make changes in the way they perform their duties. Some participants are critical of the relevance of training programs and the match between trainees' needs and instructor expertise. Instructors cite inadequate orientation and training, and insufficient appraisals of their performance. Also, many participants do not share training materials with others or recommend ICM.

Goals and Objectives Of The Institute

The Delphi process undertaken by the Institute to determine needs of court administrators is an indication of the Institute's concern for the vitality and responsiveness of its goals and objectives. Additionally, the Board of Trustees, the Advisory

Council of Alumni Fellows, and less formalized needs assessment mechanisms shape the Institute's understanding of its mission.

It will be important to see what influence the Delphi findings have with regard to one of the current objectives of the Institute: to "professionalize" the position of court manager, its supporting strategy, and to consider the human element and culture of the courts, rather than simply to treat business management techniques. This issue appears to have created some ambivalence within the Institute with respect to its self-concept. The question is whether or not the Institute should assume the role of change agent/advocate with respect to issues such as local court policy making, use of bail bondsmen, non-elected clerks, etc.

Needs Identification

ICM programming has shown a creative adaptation to the perceived needs of its target group over the past several years. Indeed, the Institute is able to react on almost a month-to-month basis to the needs of its constituents. Its assessment processes appear comprehensive and sensitive to changing needs and opportunities. Also, it appears that the Institute's programs are meeting needs that are not already being met by other sources (states, universities or other institutes). Yet there is the previously stated criticism and dissatisfaction of participants and instructors alike.

In addition to its regular offerings of education and training programs, the Institute engages in research, publishes a first-rate journal, and provides numerous kinds of assistance to individuals and organizations — all of which contribute to the Institute's stature in court training.

The approach to training employed by the Institute, androgogy, has both strengths and limitations. On the one hand, this approach is most palatable to court professionals and utilizes their experience and inputs. On the other hand, the approach tends to lack specific direction.

Recommendation 15: The Institute should develop written policies and procedures for orienting instructors to aid them in developing courses and presentations that are based on measurable outcomes or objectives.

The Institute's current course on Strengthening the Executive Component of the Court may provide an example of this kind of outcome-oriented training.

Recommendation 16: The Institute should follow through on its plans to coordinate scheduling and programming of training events on court management with the National Judicial College.

Program Assessment

The Institute appears keenly interested in improving its program evaluation activities. The evaluation form for Strengthening the Executive Component of the Court appears to be a significant step away from the less extensive type of end-of-session evaluation in that it focuses on specific performance objectives in the affective, cognitive and skill domains. Perhaps this evaluation will provide the Institute with insights into the measurement of the performance skills of former trainees.

Other Institute Activities

Apparently, two areas of potential interface will receive consideration within the coming year:

- *Cooperation with colleges and universities which offer courses related to court management; and*
- *Interface with the National Judicial College in the scheduling of training events and topics.*

Management

The Board of Trustees and the executive staff appear to function well in their respective roles and in cooperation with each other.

The Institute's management information system appears adequate for general management purposes. The program performance information and program evaluation information might be systematized for use by the Board of Trustees and by program managers.

With regard to personnel, the general stability of the staff tends to reflect adequate personnel policies. While the Institute offers a generous $1,000 per year for tuition and expenses for staff members, and sends staff to conferences and workshops, it should also consider an in-house staff development component to enhance its staff's performance skills as they relate to program initiatives.

The fiscal management procedures of the Institute appear thorough and adequate for both management purposes and program support.

The Institute's limited use of its library and locator systems is puzzling. If, in fact, the core staff is involved in making recommendations for current policy and for program development, it would seem that the library, which is catalogued and kept up to date, would receive greater use. (ICM says use of the library has increased as part of its stepped-up research efforts.)

Challenges and Future Directions

The Institute staff appear keenly aware of the alternatives for the future of the Institute (one of which is, surprisingly, the "honorable termination of the Institute"). A healthy openness to the future is reflected in the minutes of Board meetings, executive memoranda, the current Delphi process, and the personal interviews with the evaluation team.

The study team endorses the current reassessment which the Institute is undertaking, including the future areas of exploration noted in Chapter II. This reassessment is particularly appropriate in view of the problem areas which surfaced in the course of this evaluation. LEAA should not be excluded from this reassessment process since it too must face some difficult questions regarding the future funding of ICM.

Recommendation 17. Both ICM and LEAA should participate in a reassessment of ICM to make determinations concerning future directions, processes and funding levels for the Institute.

NATIONAL COLLEGE OF DISTRICT ATTORNEYS

NCDA emerges from the analysis of data as a reasonably effective training institute, but not without some serious deficiencies.

On the positive side, NCDA is:

- *Effective in persuading participants to make changes in the way they perform their duties; and*
- *Effective as a mechanism for collegial contacts and for instilling a pride of profession in prosecutors.*

On the negative side, NCDA is criticized for:

- *Poor mixing of trainees as to roles and experience, overly large classes, and insufficient instructor contact after class;*
- *Inadequate orientation and training of instructors, inadequate program modifications based on systematic assessments, and insufficient appraisal of instructors' performance;*
- *Too heavy a reliance on lectures;*
- *Sexism and insensitivity to minorities, on the part of both staff and faculty; and*
- *Lax monitoring of attendance of trainees and indiscriminate awarding of CLE credits.*

In a more neutral mode, there are numerous suggestions by participants and instructors for more cooperation and understanding between NCDA and NCCDLPD, even to the extent of conducting joint courses.

The site visit to NCDA indicated that the College is a well-organized institution, with sound management and program development methods. The College attempts to obtain the best available faculty for its courses and provides outlines for teaching assignments that explain the objectives of the course. Based on the critical comments of instructors, more training of faculty would be beneficial.

The College also places much effort in marketing and communications, as reflected in its publications, which include brochures, catalogues, and books.

Needs Identification

While NCDA has no formal needs assessment process in place, it utilizes its Research Attorney, Curriculum Committee, course evaluations and nationwide contacts to help identify areas and subjects that require training attention.

NCDA does not really share the target audience and goals of most of the other training institutions covered in this study (except for NITA, to some extent), but increased cooperation and sharing with them is feasible in areas of faculty development, teaching methodologies, instructional technology (audio-visual equipment and techniques, for example), and general program planning. Collaboration in these areas could result in the improvement of programs, avoidance of program duplication and decreased costs.

An example of this type of cooperation would be the attempts of the NCDA to explore in more detail the teaching techniques used by the National Institute for Trial Advocacy in its seminars. Both institutions could collaborate in designing course outlines and formats that would integrate each institution's experience and goals, with the College taking the lead in determining learning needs of the district attorneys and NITA focusing on advocacy techniques which it has developed.

Other Institutional Activities

The NCDA and the National College of Criminal Defense Lawyers and Public Defenders are housed within the same building and presently share some facilities and services. While we understand the potential difficulty of undertaking joint activities, especially with regard to staff and equipment, we would suggest that greater effort be exercised in this direction. For example, one receptionist could be utilized to serve both colleges. The NCDA may also wish to reconsider the offer of the NCCDLPD to lease computer time on its equipment. The NCDA had initially rejected an offer to do so because of differences in accounting methods and in compiling mailing lists, but if this arrangement would result in considerable savings, the NCDA may wish to reevaluate the offer even if certain changes in operating procedures are necessary.

Student evaluations of courses conducted by both colleges indicate a desire of the participants to have a representative from the other school available at the workshops to offer another perspective. These two colleges should work more closely in determining which of their courses may benefit from joint participation.

Recommendation 18: The National College of District Attorneys should explore additional possibilities for sharing facilities, services, and personnel with the National College of Criminal Defense, including the possibility of joint training programs.

Management

NCDA was the only CTP institute criticized for the insensitivity demonstrated by its staff and faculty at regional workshops in regard to sexism and monitorities. Coupled with the findings stated in Chapter II regarding the composition and characteristics of NCDA's core faculty and central staff, the institute appears to have several related problems which must be addressed.

Recommendation 19: NCDA should reorganize its core faculty and central staff to provide for a more realistic representation of women and minorities.

At the same time, concrete steps should be taken to educate faculty and those staff assigned to training programs as to the proper ways to relate to other individuals. Formal sensitivity training provided by professionals may be in order.

Some participants complained about, and we observed, the laxity of attendance monitoring at NCDA workshops and the attendant indiscriminate awarding of CLE credits, even to those who failed to attend most sessions.

Recommendation 20: NCDA should alter its training program monitoring procedures (and perhaps its monitoring personnel) to ensure that trainees are encouraged to attend sessions and that repeated absence will in some way be reported back to the sender organization or at least not be rewarded with the presentation of CLE credits.

NATIONAL COLLEGE OF CRIMINAL DEFENSE
(LAWYERS AND PUBLIC DEFENDERS)

NCCDLPD also emerges from the data analysis as a relatively effective training institute. It persuades a high percentage of its trainees to adopt new performance methods and techniques, and it is highly commended for reinforcing the role and confidence of the public defenders as a professional group.

The only major criticism of its teaching methods is that lectures are used too extensively while participants feel they benefit more from the lesser-used role playing/simulation techniques.

As in the case of NCDA, participants at this institute recommend more integration and cooperation of and between the two, including joint training programs.

Goals and Objectives of the Institution

While the stated goals and objectives of the institution have remained constant over the years, we share the same doubts that previous outside evaluators have expressed concerning the College's priority of improving the quality of representation for the *indigent* defendant.

There is no evidence that the College has taken any meaningful action or steps to correct the problems cited by previous evaluators in 1974 and 1976 which have allowed private attorneys to attend LEAA-funded programs – sometimes with scholarship assistance – even though there was little evidence of their past or future inclination to defend the indigent. Although the College now says it notifies the courts in which these private attorneys practice that they have received training and are available to accept assignments to defend indigents, the College takes no action to see if such assignments are made and accepted. Even the application process, whereby the private attorney states a previous record and future willingness concerning representation of indigent defendants, has a ring of superficiality to it.

In fairness to the College, we found instances during the field survey in which NCCDLPD participants (private attorneys) did want but could not get court appointments to defend indigents. However, we also found too many instances of private attorneys, some of whom attended NCCDLPD on LEAA scholarships, who defended few indigents prior to training, few if any since training, and virtually none now since they have switched to civil practice.

We believe this matter to be of paramount importance to LEAA, and we will have recommendations later in this chapter which bear on the issue. In any event, however, we believe that LEAA should take the following action:

Recommendation 21: LEAA should closely monitor the future activities of the National College of Criminal Defense Lawyers and Public Defenders to ensure that program attendance is limited to attorneys providing some reasonable amount of representation to indigent defendants. *

Needs Identification

The College has no formal procedures for assessing the training needs of the defender community. Instead, it relies on trainee and faculty feedback, plus the experience of its own staff.

Recommendation 22: NCCD should move to develop a more systematic method for identifying the needs of the audience it serves.

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* LEAA discussed this recommendation with NCCD prior to the publication of this report. It appears that the College is already taking steps to address this recommendation.

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Management

We have two concerns regarding the faculty of the National College of Criminal Defense Lawyers and Public Defenders. First, we believe the composition of the faculty, with only eight or nine percent female and four or eight percent black (depending on which of NCCD's figures are used), is unrepresentative of the public defender's field and today's society. It cannot be ignored that, at the time of our visit, the College's staff also lacked sufficient minority representation.

Second, while some attention has been paid to the preparation of faculty for the two-week summer resident institutes, there is little evidence that such preparation is accomplished for other programs offered by the College. (This problem was noted in the previous outside evaluation, in 1976.) Further, the attorney occupying the position of Director of Training has been doing very little in the way of training or in any way utilizing his legal background. His main functions have concerned physical arrangements for the workshops and institutes.

Recommendation 23: The College should reorganize its core faculty group to assure greater representation of qualified women, blacks, and other minority groups.

Recommendation 24: The College should take steps to assure staff representation of racial and ethnic minorities, in the spirit of equal employment opportunity.

Recommendation 25: The College should assign the Dean and Associate Dean to assume responsibilities formerly assigned to the Director of Training for the preparation and training of faculty for all programs, and such preparation should be strengthened.

Program Assessment

As indicated previously, there are indications that the College is not vigorously pursuing its stated commitment to improve the quality of representation for the *indigent* defendant. Any lawyer who pays full costs may attend the LEAA-funded training programs regardless of his/her interest in the indigent defendant. Up to fifty percent of the scholarships may be and are awarded to private attorneys who simply state that they have in the past, or will in the future, represent indigent defendants. Verification of such statements, before and after the training, is not attempted.

Recommendation 26: LEAA should require the College to become more selective in the awarding of scholarships to private attorneys and insist on verification of the applicant's record of representing indigent defendants. *

The College should also be required to conduct a follow-up analysis of such scholarship recipients to determine if the courts notified by the College do, in fact, appoint these trainees to defend indigents.

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* LEAA discussed the recommendation with NCCD prior to the publication of this report. It appears that the College is already taking steps to address this recommendation.

Two important issues which surfaced as a result of the two previous outside evaluations have to do with the matter of private attorneys who do not represent indigent defendants and the lack of preparation of faculty members. In neither case is there evidence that the College has acted to correct these previously identified — and still apparent — deficiencies. Therefore, LEAA's monitoring of the College in the future should pay particular attention to the actions taken to implement the recommendations contained in this report and agreed to by both parties.

Other Institution Activities

While certain economies have been effected as the result of the sharing of space and certain equipment between NCCDLPD and NCDA, additional steps could be taken to further reduce costs without undue inconvenience. Such steps could include the sharing of a joint receptionist at the entrance of the office suite, the joint purchasing of videotape equipment, and the coordination of selected training workshops to share costs of lecturers, equipment and space. We also believe that NCDA should give further consideration to the sharing of NCCDLPD's computer.

Recommendation 27: NCCD and NCDA should formally develop plans for the increased sharing of costs, including those suggested in this report, to take fuller advantage of their physical proximity and related interests.

Program and Related Costs

NCCDLPD's daily cost per student compares favorably with other training institutions. However, the amount of money being expended annually by the organization could be further reduced by either eliminating or sharply curtailing the awarding of scholarships to private attorneys, as another means of dealing with the issue of indigent representation.

While we make no specific recommendation in this regard, we suggest that LEAA explore these possibilities.

NATIONAL INSTITUTE FOR TRIAL ADVOCACY

Based on the data gathered and analyzed during the course of this evaluation, NITA compares favorably with the two other trainers of advocates, but with some notable differences.

On the positive side, NITA boasts sound teaching techniques which are widely recognized, praised and replicated. Participants are highly laudatory of the role playing/simulation/videotaping process. Perhaps as a result, NITA is the most successful CTP institute in persuading its participants to change personal practices on the basis of training experience.

On the negative side, having attended one NITA training program, participants feel there is not much more to be offered, and 40 percent do not wish to return. In addition:

- *There is some criticism of the way in which trainees are mixed as to roles and experience;*
- *Participants do not reflect the same level of devotion or allegiance to NITA as do other CTP participants to their respective institutes; and*
- *There is evidence of serious management problems within NITA.*

Finally, there is the observation that, based on the statistics and data available to us, relatively few public employees (prosecutors, defenders, etc.) attend NITA programs. Rather, there seems to be a preponderance of private attorneys, many in civil practice, whose attendance is supported financially by their firms. If this is the case, to what extent if any should federal funds be financing such training? Should it be limited, for example, to scholarships for prosecutors and public defenders?

Goals and Objectives of the Institution

(It must be noted here that since the study team's visit to the NITA offices in Chapel Hill, N.C. a new director has been designated and the NITA headquarters shifted to South Bend, Indiana. Comments contained in this report relate to the situation as we found it in Chapel Hill).

Within the framework of limited but powerful goals, NITA has adopted a set of teaching techniques. Those are carefully controlled and are seemingly maintained at a high level of purity. There is standardization of curriculum, materials and teaching format. In addition, there is ongoing monitoring as a result of management observation, peer discussions, student comments, and professional evaluations. It is claimed that despite the growth in their regional programs and the development of in-house and bar association workshops, there is little sag in the overall quality of the work that they are doing.

The programs have been tested since their inception in 1971. In general, the value of the programs to lawyers engaged in both civil and criminal trial advocacy, as well as law school teachers, seems to be evidenced by the fact that overall enrollment does not seem to be a problem: law school teachers are competing to enter the special workshops designed for them, the number of regional programs are growing, and law firms are sending their junior members to regional and national sessions.

The overarching goal of the National Institute for Trial Advocacy is to contribute to the development of an adequately trained, professionally responsible trial bar, sufficient to serve the needs of justice in the United States. It strives to achieve this by training trial lawyers, and especially young lawyers, in advocacy; by developing methods and techniques for teaching the skills of the effective, professional trial advocate; and by encouraging the teaching and learning of these skills — to train teachers for service in law schools and continuing legal education programs. They also attempt to stimulate the creation of courses and programs in trial advocacy, and to aid in their development. These goals and objectives seem to have been consistent throughout the life of the Institute since 1971.

Needs Identification

Program development is largely vested in the director who is advised by permanent faculty and the board of trustees. He seems to be responsive to inputs from these sources and, in addition, makes use of the evaluations of the program made by the participants, as well as the follow-up studies that have been made by the professional evaluator whom the Institute employs. The director calls his permanent faculty members together for an annual planning meeting, at which time the direction of the Institute's programs is debated.

Program Assessment

NITA is one of the few institutions currently under study which attempts to assess the impact of its programs on participants' careers. For this purpose it employs the impact studies generated by Dr. Russell Burris, a professional evaluator, to fine tune curriculum. In general, Dr. Burris' evaluations reported that ten months following enrollment in NITA's programs, the participants tended to see continuing improvement in their skills as trial advocates. References, such as judges, prosecutors and senior partners, for whom the participants work, tended to confirm the self-evaluations.

Other Institution Activities

We find little evidence of undue competition between the National Institute for Trial Advocacy and other programs that are engaged in the teaching of the subject of trial advocacy such as the National College of Criminal Defense Lawyers and Public Defenders and the National College of District Attorneys. While there is some unavoidable overlapping of teaching area, there is a tendency on the part of the former to emphasize pretrial skills, while the major emphasis of the NITA program deals with trial dynamics. In addition, the national colleges have programs designed to teach management skills, areas that are not covered in the NITA curriculum. The major weaknesses in this area are the failure of the three institutions to share information about training materials and techniques or, for that matter, to utilize each other's materials.

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Program and Related Costs

The annual budget is approximately $850,000. The largest contributions to that budget are tuition fees which are now $1,250 for national and regional programs. Since NITA is basically for young lawyers in the first five years of their careers, this substantial sum can frequently be a sacrifice. Hence, it has devoted the grants from LEAA (this year their grant is $121,000) toward helping to defray the costs of tuition for needy participants by awarding scholarship funds. The Institute is developing additional funding through gifts, grants, and the sale of teaching materials. They have developed an outreach program to alumni and to law firms in an effort to attract more funding. Contributors in such fund raising tend to come from the civil bar and would inevitably steer the Institute's programs toward civil cases. In addition, it would seem that further cuts in funding by LEAA would tend to reduce the numbers of young district attorneys and public defenders from entering this program.

Recommendation 28: In view of the negative impact that a further reduction of funding would have on NITA's ability to grant scholarships to public attorneys engaged in criminal practice, LEAA should attempt to maintain its current level of funding support for such scholarships.

Management

The findings section of this report (Chapter II) noted a number of management deficiencies. While no one of these is of a critical magnitude, their combined existence would indicate that some tightening of management and administrative procedures would be beneficial. One serious weakness is the difficulty in obtaining current information regarding expenditures and budget status. We have previously noted that some of the problems we encountered on site in seeking to obtain financial information were due to the inexperience of the new bookkeeper/office manager, the lag time of the local data processing service in generating monthly reports, and the location of some financial records in Minneapolis. The bookkeeper will gain experience and familiarity with the NITA operation, and we were told that the local data processing service is improving to the point that monthly financial status reports are being produced within the acceptable period of two weeks following completion of the reporting period. The remaining step that should be taken by NITA is to centralize its financial records at the NITA office rather than having them spread over two locations.

A second serious weakness was the absence of an up-to-date file on the faculty. There were folders scattered throughout the file, some of which were no longer active. Files of some current faculty members did not exist. We described in Chapter II how the names of eight black faculty members were recited to us, although there was no record of their existence in the faculty files. On the whole, and based on the data we were able to collect, the faculty did not seem particularly impressive in terms of law experience, teaching experience and publications. But this impression may be unjustified since it is the result of scanning credentials which are in need of updating and expansion.

This confusion over NITA records extended to the field survey phase where lists supplied by NITA, supposedly of participants practicing/residing in 12 specific geographic locations, proved most unreliable at times. Similar confusion existed with respect to NITA-supplied lists of its instructors and governing board members.

*Recommendation 29: **NITA should unify the geographic location of its administration and establish a more efficient method of records management.*** If the new central offices of NITA are to be established in South Bend, then all records should be assembled there, not dispersed in Chapel Hill or Minneapolis. The records management system is especially crucial to NITA's file of faculty members and past trainees, plus its financial records.

Although the size of the NITA central staff was relatively small at the time of our visit to Chapel Hill, personnel matters seemed to be conducted on an informal ad hoc basis. Certainly should the size of the staff be increased, and perhaps even at its present size, these procedures should be formalized through the development of a personnel handbook and procedures manual.

C. COST EFFECTIVENESS

Developing cost effectiveness statistics for the eight CTP institutes is both difficult and somewhat precarious. The difficulty is traced to the origin of data concerning program costs. These data are supplied by the training institutes. Each has its own method for arriving at those costs, and there are indications that accuracy is far from consistent. The precariousness concerns the output measures. The impact measures used in this case are the percentages of participants of each institute who *claim* to have attempted personal and organizational changes in their professional pursuits as a result of training. The effectiveness rating is a somewhat subjective assessment of each institute which is based on a combination of management and training strengths and weaknesses which the data reflect.

Finally, there is a fallacy in attempting to compare one institute with another solely on the basis of cost effectiveness. Each of the institutes offers some inherent qualities and serves some useful purposes which are somewhat intangible, cannot be easily measured, and should not be quickly discarded solely on the basis of cost effectiveness calculations.

Cost impact is measured in terms of the ratio between dollars expended and the amount of change or impact registered. The basic cost measure used is the average cost per student per day of each institute (See Chapter II).

When the basic cost measure is applied to the impact measure of ***personal*** change attempted as the result of training, the rank order of the eight institutes is:

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- National College of District Attorneys
- National College of Criminal Defense
- American Academy of Judicial Education
- Appellate Judges' Conference
- National Judicial College
- National Institute for Trial Advocacy
- Institute for Court Management
- Institute of Judicial Administration

When the basic cost measure is applied to the impact measure of ***organizational*** change attempted as the result of training, the rank order of the eight institutes is:

- Appellate Judges' Conference
- National College of District Attorneys
- National College of Criminal Defense
- National Judicial College
- American Academy of Judicial Education
- Institute for Court Management
- National Institute for Trial Advocacy
- Institute of Judicial Administration

When the basic cost measure is applied to the overall impact measure of personal ***and*** organizational change attempted as the result of training, the rank order of the eight institutes is:

- National College of District Attorneys
- National College of Criminal Defense
- Appellate Judges' Conference
- American Academy of Judicial Education
- National Judicial College
- National Institute for Trial Advocacy
- Institute for Court Management
- Institute of Judicial Administration

The danger of this type of analysis is best demonstrated by the case of IJA. In terms of impact, it ranks first among all of the CTP institutes. Yet it ranks last in cost impact because the program pays all travel and subsistence costs of the participants. Removing those costs from the calculations would improve IJA's standing in the rank order only slightly. It is an expensive program when costs are compared with the small number of trainees to which each class is deliberately limited. Is the high impact (and high quality) of the Appellate Judges Seminars worth the high price? Conversely, is the Appellate Judges' Conference of greater value because its low basic cost measure offsets its low impact ranking?

In an effort to provide yet another approach to the question of cost effectiveness, a program effectiveness rating was applied to each of the eight CTP institutes. The rating, on a scale of one (low) to ten (high), included considerations of training impact, training effectiveness, and management influences — virtually every facet of the data collected during visits to the institutes, observation of their training programs, and the questioning of participants, supervisors, comparisons, instructors and board members. The one consideration omitted was program costs.

The program effectiveness ratings result in the following rank order:

- Institute of Judicial Administration
- National Judicial College
- American Academy of Judicial Education
- National College of District Attorneys
- National College of Criminal Defense
- National Institute for Trial Advocacy
- Institute for Court Management
- Appellate Judges' Conference

However, when the basic cost measure is applied to the program effectiveness rating, the cost effective rank order of institutes that results is:

- National College of District Attorneys
- National College of Criminal Defense
- American Academy of Judicial Education
- Appellate Judges' Conference
- National Judicial College
- National Institute for Trial Advocacy
- Institute for Court Management
- Institute of Judicial Administration

Note that the institutes which rank 1-2-3 in program effectiveness rank 8-5-3 in cost effectiveness.

There are three other measures of effectiveness upon which rankings could be based. For example, if sole consideration is given to the effectiveness of the eight institutes in encouraging their trainees to attempt changes in the way they perform their work, the rank order is:

- National Institute for Trial Advocacy
- National College of Criminal Defense
- Institute of Judicial Administration
- National College of District Attorneys
- National Judicial College and the American Academy of Judicial Education
- Appellate Judges' Conference
- Institute for Court Management

If sole consideration is given to the effectiveness of the eight institutes in encouraging their trainees to attempt organizational changes, the rank order is:

- Institute for Court Management
- Institute of Judicial Administration
- National Judicial College and Appellate Judges' Conference
- National College of District Attorneys
- National Institute for Trial Advocacy

- National College of Criminal Defense
- American Academy of Judicial Education

And finally, if sole consideration is given to data which show which of the CTP institutes are most frequently cited by those participants who do credit training for changes they have undertaken, the rank order is:

- National Institute for Trial Advocacy
- Institute for Court Management
- American Academy of Judicial Education
- Institute of Judicial Administration
- National College of Criminal Defense
- National Judicial College
- National College of District Attorneys
- Appellate Judges' Conference

Regardless of how the cost impact or cost effectiveness statistics are interpreted and used, there are four institutes which should be monitored by LEAA relative to program costs. These are AJC, NCCDLPD, NCDA and AAJE. Regardless of the way in which they calculate their program costs and display their overhead expenses, there are reasons to believe that an excessive percentage of the annual LEAA grants are being used for general operating expenses of the institute rather than direct program purposes. This question should be examined more closely by LEAA.

D. LEAA/NATIONAL TRAINING POLICY

As a result of the data collected during the course of this evaluation, a number of issues have surfaced which can be addressed only by LEAA. Our conclusions and recommendations in these matters are discussed below.

We have found numerous examples where LEAA appears to be competing with itself in the field of courts training.

The assertion by the Dean of the NCCDLPD that the National Institute of Law Enforcement and Criminal Justice has funded seven defender management workshops through another organization, without consultation or discussion with the College, is one example. In addition to the questioned wisdom of one unit of LEAA funding a program in competition with a program funded by another unit of LEAA, there is an even more critical issue as to whether LEAA has considered the experience of the NCCDLPD with defender management workshops. If there is a low attendance response to the one management workshop which has been presented annually by NCCDLPD, what rationale is there for LEAA to now finance seven management workshops each year. It is difficult to justify recommended decreases in spending by NCCDLPD on the one hand, then see LEAA expend even greater amounts of money for programs which have not been well received and for which the need has not been proven. Further, given the absence of consultation with NCCDLPD in this matter, we must question the degree of coordination that exists within LEAA and the willingness to share and utilize information that will be generated by evaluations such as this. The same kind of competition, or duplication, is found in other national and state programs, many of which receive some degree of financial support from LEAA.

Recommendation 30: LEAA should develop an inventory of all courts training programs it funds, regardless of primary supporting division or office, for the purpose of coordinating the allocation of such funds. The inventory should be expanded eventually to determine the number and nature of training programs being conducted by public agencies and private organizations in each state. The SPA's and RPU's could be called upon to assist in this undertaking.

During the field surveys in the 12 case study sites nationally, we found little evidence of State Planning Agency and Regional Planning Unit support of courts training. Few monies are being allocated by SPA's, or recommended by RPU's, for these purposes. In fact, the level of awareness of the need appeared to be relatively low among those agencies.

Recommendation 31: LEAA should consider ways to make SPA's and RPU's more aware of the importance of courts training and to encourage increased local funding support, where warranted.

The study team visited three training institutions which have interrelationships as to the trainees they reach and the subject matter they teach. These are the National Institute for Trial Advocacy, the National College of Criminal Defense Lawyers and Public Defenders, and the National College of District Attorneys. In all three cases, we find it disturbing and potentially wasteful that there is no sharing, and often little knowledge, of the training materials and techniques developed by each. If one of the anticipated benefits of the courts training program was the replication of training materials and approaches, the program has failed in that respect.

Specifically, the National College of Criminal Defense Lawyers and Public Defenders has virtually no knowledge of the instructional materials and techniques that have been developed by NITA, nor does NITA have knowledge of the College's. Insofar as the College is concerned, we detected no interest in utilizing any materials provided by other institutions, especially NITA, which is clearly recognized as the College's only competitor.

Recommendation 32: LEAA should take steps, through budgetary action and program regulations, to require funded training institutes to share training materials and exchange ideas on effective teaching techniques. This exchange could be effected through periodic meetings of institute directors, through seminars offered by LEAA in which institute representatives would participate, and through inter-institute newsletters which focus on innovations in programs, administrative procedures, planning, equipment, curriculum, alternate funding sources, etc. There are a number of ways in which this problem can be attacked, but action should be taken to eliminate this potential for waste of money and duplication of efforts.

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A growing problem which became evident during the course of the field surveys is the limited availability of out-of-state travel funds for those who wish to attend courts training programs. In response, participants are turning to private organizations and institutions in or near their states or to the increasing number of in-state courts training programs, regardless of their limitations.

Recommendation 33: LEAA should discuss with the CTP institutes the wisdom of placing a greater emphasis on regional training programs as an answer to increasing travel costs and limitations on out-of-state travel. In addition, if regional training programs would focus on local practices and situations, it would offset complaints that national training programs are too general and not relevant to the participant's jurisdiction.

Because of funding limitations, organizational structure, and other factors, LEAA monitors the CTP institutes to a very limited extent. Most of the institutes have never or only rarely been visited by a representative of LEAA. Few if any of their training programs have been observed first-hand by LEAA representatives. Most "monitoring" is conducted by means of telephone conversations, mail exchange, and periodic meetings in Washington.

The monitoring of the CTP by LEAA is clearly inadequate under present conditions.

Recommendation 34: LEAA should move to increase its monitoring of CTP institutes by attending/observing at least two training programs of each institute annually and by visiting each institute at least once a year. The monitoring activities should tie into an ongoing system of impact evaluation, which is discussed in the next section.

E. EVALUATION METHODOLOGY

As pointed out earlier in this report, one of the constraints faced in this evaluation was the fact that an evaluation process was not built into the Courts Training Project from the outset. While periodic evaluations of this nature have value, they are not as productive, nor as timely, as an ongoing evaluation which measures impact, accompanied by a monitoring component which alerts management promptly if potential problems develop.

We have recommended that LEAA increase its monitoring of the CTP. We also suggest that LEAA implement a system of ongoing evaluation of the CTP institutes.

We have developed an evaluation manual which LEAA personnel may use as a guide in planning and conducting the type of impact evaluation recommended (See Appendix C). The manual closely parallels the techniques utilized in conducting this evaluation, so its contents are practical and proven.

While evaluation is a valuable management tool, it is also an expensive one which requires ample funds and staff to accomplish. We recognize this may prove to be an obstacle to LEAA. Nevertheless, if LEAA is to know what is being accomplished with the money being spent, then evaluations must be conducted — and certainly on a more frequent basis than has been the case in the history of the Courts Training Project.

SUMMARY OF RECOMMENDATIONS

IJA

1. The Institute of Judicial Administration should amend its policy regarding the provision of travel and housing financial assistance and provide such aid only in cases of demonstrated financial need.

2. In conjunction with IJA's adoption of the first recommendation, LEAA should further reduce its funding support in FY 1980 and should aim for complete withdrawal of financial support by FY 1982.

AJC

3. A more formal, systematic approach to assessing the needs of the audience and its satisfaction with the program would be beneficial to the program development process (of the Appellate Judges' Conference) and should be attempted.

4. LEAA should increase its monitoring and ongoing evaluation of the Appellate Judges' Conference so that it can determine within the next year whether the program can be strengthened or whether funding should be terminated.

NJC

5. NJC should take appropriate and immediate action to ensure adequate minority representation on its core staff.

AAJE

6. The Academy should reassess its goals and establish priorities for planning.

7. The Academy should consider limiting its target audience to judges of limited jurisdiction, including those who are nonlaw-trained.

8. A formal needs assessment should be undertaken once the goals of the institution have been reexamined.

9. Efforts should be made to implement a faculty development program.

10. The *Judicial Education News*, the bimonthly newsletter that was terminated for financial reasons three years ago, should be resurrected.

11. The Academy catalogue, which contains policy and program information, should be rewritten for distribution.

12. The National Videotape Library should be a priority concern of the Academy.

13. The Academy should analyze the reasons for its relatively high staff turnover and take steps to correct the situation.

14. The procedures manual should be revised, completed, and approved by the Executive Director as soon as possible to assure fairness and consistency in personnel matters.

ICM

15. The Institute should develop written policies and procedures for orienting instructors to aid them in developing courses and presentations that are based on measurable outcomes or objectives.

16. The Institute should follow through on its plan to coordinate scheduling and programming of training events on court management with the National Judicial College.

17. Both ICM and LEAA should participate in a reassessment of ICM to make determinations concerning future directions, processes and funding levels for the Institute.

NCDA

18. The National College of District Attorneys should explore additional possibilities for sharing facilities, services, and personnel with the National College of Criminal Defense, including the possibility of joint training programs.

19. NCDA should reorganize its core faculty and central staff to provide for a more realistic representation of women and minorities.

20. NCDA should alter its training program monitoring procedures (and perhaps its monitoring personnel) to ensure that trainees are encouraged to attend sessions and that repeated absence will in some way be reported back to the sender organization or at least not rewarded with the presentation of CLE credits.

NCCD

21. LEAA should closely monitor the future activities of the National College of Criminal Defense to ensure that program attendance is limited to attorneys providing some reasonable amount of representation to indigent defendants.

22. NCCD should move to develop a more systematic method for identifying the needs of the audience it serves.

23. The College should reorganize its core faculty group to assure greater representation of qualified women, blacks, and other minority groups.

24. The College should take steps to assure staff representation of racial and ethnic minorities, in the spirit of equal employment opportunity.

25. The College should assign the Dean and Associate Dean to assume responsibilities formerly assigned to the Director of Training for the preparation and training of faculty for all programs, and such preparation should be strengthened.

26. LEAA should require the College to become more selective in the awarding of scholarships to private attorneys and insist on verification of the applicant's record of representing indigent defendants.

27. NCCD and NCDA should formally develop plans for the increased sharing of costs, including those suggested in this report, to take fuller advantage of their physical proximity and related interests.

NITA

28. In view of the negative impact that a further reduction of funding would have on NITA's ability to grant scholarships to public attorneys engaged in criminal practice, LEAA should attempt to maintain its current level of funding support for such scholarships.

29. NITA should unify the geographic location of its administration and establish a more efficient method of records management.

LEAA

30. LEAA should develop an inventory of all courts training programs it funds, regardless of primary supporting division or office, for the purpose of coordinating the allocation of such funds.

31. LEAA should consider ways to make SPAs and RPUs more aware of the importance of courts training and to encourage increased local funding support, where warranted.

32. LEAA should take steps, through budgetary action and program regulations, to require funded training institutes to share training materials and exchange ideas on effective teaching techniques.

33. LEAA should discuss with the CTP institutes the wisdom of placing a greater emphasis on regional training programs as an answer to increasing travel costs and limitations on out-of-state travel.

34. LEAA should move to increase its monitoring of CTP institutes by attending/observing at least two training programs of each institute annually and by visiting each institute at least once a year.